

H. R. 2483. A bill for the relief of Giacomo Bartolo Vanadia; to the Committee on the Judiciary.

By Mr. BERRY:

H. R. 2484. A bill authorizing the issuance of patents in fee to Oliver P. Livermont; to the Committee on Interior and Insular Affairs.

By Mr. BOGGS:

H. R. 2485. A bill for the relief of Mrs. Libera Andreuzzi Popovich; to the Committee on the Judiciary.

By Mr. CELLER:

H. R. 2486. A bill for the relief of Maria (Henriette) Zagrawicz; to the Committee on the Judiciary.

By Mr. DONOVAN:

H. R. 2487. A bill for the relief of Maria del Carmen Gago Santana; to the Committee on the Judiciary.

H. R. 2488. A bill for the relief of Robert Grossman; to the Committee on the Judiciary.

H. R. 2489. A bill for the relief of Paul, Zelma, and Ivan Fulop; to the Committee on the Judiciary.

By Mr. DOYLE:

H. R. 2490. A bill for the relief of Oldrich (Olda) Evse Spytihnev Karlik; to the Committee on the Judiciary.

By Mr. FALLON:

H. R. 2491. A bill for the relief of the Lacchi Construction Co.; to the Committee on the Judiciary.

H. R. 2492. A bill for the relief of Panayotis Koutsoyannopoulos; to the Committee on the Judiciary.

H. R. 2493. A bill for the relief of Poulicos S. Loucacos; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. R. 2494. A bill for the relief of Antonia Majer; to the Committee on the Judiciary.

H. R. 2495. A bill for the relief of Jozica Zorman; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 2496. A bill for the relief of John Jacob Wagner; to the Committee on the Judiciary.

By Mr. GARMATZ:

H. R. 2497. A bill for the relief of Mary Catherine Flowers, widow of John Edward Flowers; to the Committee on the Judiciary.

By Mr. HARVEY:

H. R. 2498. A bill for the relief of William B. Garner; to the Committee on the Judiciary.

By Mr. KILDAY:

H. R. 2499. A bill for the relief of Adolfo L. Kalb, and his wife, Mrs. Eugenia G. Kalb; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. R. 2500. A bill for the relief of Stanislaw Majzner (alias Stanley Maisner); to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 2501. A bill for the relief of Mahmud Ali Mahmud Areiquat; to the Committee on the Judiciary.

H. R. 2502. A bill for the relief of Abdullah Hasan Areiquat; to the Committee on the Judiciary.

By Mr. MERROW:

H. R. 2503. A bill for the relief of Christian Schmidt-Courvoisier; to the Committee on the Judiciary.

By Mr. NICHOLSON:

H. R. 2504. A bill for the relief of Sisters Adelaide Canelas and Maria Isabel Franco; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H. R. 2505. A bill for the relief of Lajos Schmidt and his wife, Magda; to the Committee on the Judiciary.

H. R. 2506. A bill for the relief of certain members of the Missionary Sisters of the Sacred Heart; to the Committee on the Judiciary.

By Mr. SECREST:

H. R. 2507. A bill for the relief of Alfonso Gatti; to the Committee on the Judiciary.

By Mr. STEED:

H. R. 2508. A bill relating to the conveyance of certain property in Shawnee, Okla., by quitclaim deed, to Alfred F. Hunter; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 2509. A bill for the relief of Emanuel Maltese; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

33. By Mr. SADLAK: Resolution adopted by the New Haven Jewish Community Council, New Haven, Conn., protesting and condemning the anti-Jewish campaign conducted in Eastern Europe in the guise of anti-Zionist charges of international Jewish conspiracies; to the Committee on Foreign Affairs.

34. By the SPEAKER: Petition of Walter C. Peterson, city clerk, Los Angeles, Calif., relative to requesting the enactment of legislation and to make an investigation into the alarming curtailment of hospital beds and other medical-care programs for veterans in the State of California; to the Committee on Veterans' Affairs.

35. Also petition of chief of police, Los Angeles, Calif., requesting the establishment of an agency on the national level to aid local law enforcement in combating organized crime; to the Committee on the Judiciary.

36. Also petition of Gerassimos Tsetoulis, Montreal, Canada, relative to stating a grievance in regard to the Greek immigration quota; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

TUESDAY, FEBRUARY 3, 1953

The House met at 12 o'clock noon.

Dr. Abraham Shusterman, rabbi, Har Sinai Congregation, Baltimore, Md., offered the following prayer:

Heavenly Father, in whose hands are our lives and destinies, we lift our hearts unto Thee in thanksgiving and praise. We render thanks unto Thee for our country and for those brave men, the quick and the dead, who have preserved its integrity as a land of justice and freedom. May our devotion to the ideals for which they lived and died ever bear witness to our gratitude and our faith. Enlighten with Thy wisdom and uphold with Thy strength all who guide our free institutions. Bless those who serve within the several branches of our Government; grant them the courage and faith to lead our Nation and all who look to it for guidance toward that goal of peace and security which Thou hast ordained for all Thy children. Uphold the arms of the Members of this House; set their minds and hearts on Thee. Speed the day when, united in loving service, we may establish Thy kingdom. Establish Thou also upon us the work of our hands; yea, the work of our hands establish Thou it. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that

the Senate had adopted the following resolution (S. Res. 51):

Resolved, That the following-named Members be, and they are hereby elected members of the following joint committees of Congress:

Joint Committee on Printing: Mr. JENNER, of Indiana; Mr. CARLSON, of Kansas; and Mr. HAYDEN, of Arizona.

Joint Committee of Congress on the Library: Mr. PURTELL, of Connecticut; Mr. JENNER, of Indiana; and Mr. BARRETT, of Wyoming; Mr. GREEN, of Rhode Island; and Mr. GILLETTE, of Iowa.

The message also announced that Mr. TOBEY, of New Hampshire, chairman of the Committee on Interstate and Foreign Commerce of the Senate, had appointed Mr. PASTORE, of Rhode Island, and Mr. BUTLER of Maryland, as members of the Board of Visitors to the United States Coast Guard Academy.

Mr. SCHOEPPPEL, of Kansas, and Mr. MONRONEY, of Oklahoma, were appointed as members of the Board of Visitors to the United States Merchant Marine Academy.

The message also announced that the President of the Senate had appointed Mr. STENNIS, of Mississippi, a member of the National Forest Reservation Commission in lieu of Mr. GEORGE, of Georgia, resigned.

The message also announced that the President of the Senate had appointed Mr. GOLDWATER, of Arizona, and Mr. FULBRIGHT, of Arkansas, members of the Joint Committee on the Economic Report.

The message also announced that the President of the Senate had appointed Mr. CORDON, of Oregon, a member of the Joint Committee on Atomic Energy in lieu of Mr. PASTORE, of Rhode Island, resigned.

The message also announced that the President of the Senate had appointed Mr. RUSSELL, of Georgia; Mr. DWORSHAK, of Idaho; and Mr. ELLENDER, of Louisiana, members of the Board of Visitors to the Naval Academy. Mr. SALTONSTALL, of Massachusetts, being chairman of the Committee on Armed Services of the Senate, is an ex officio member of the Board.

SPECIAL ORDERS GRANTED

Mr. BURDICK asked and was given permission to address the House for 30 minutes today, following the legislative business of the day and any other special orders heretofore entered.

Mr. LANE asked and was given permission to address the House today for 10 minutes, following the legislative business of the day and any other special orders heretofore entered.

COMMUNISM

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CARNAHAN. Mr. Speaker, with our recent change in national administration there are positive evidences that

there will be no change in our domestic, nor in our international, firm stand against communism. We are, under the Eisenhower administration, uncompromisingly determined to defend and to perpetuate the democratic way of life.

However, the godless, militant, adroit, and powerful force driving toward world-wide dictatorship, under the Russian banner of so-called international communism, is still very much on their job. Their self-assigned task is to dominate all the world, and to rule by brute force by enslaving individual human beings everywhere.

By force, using their well-known tactics of slave-labor camps, extortion, persecution, and murder, they claim to be bringing relief and peace to those they enslave. They parade under a banner of peace. We must be very sure that we are not deceived and fooled by this clever Communist hoax which they say is peace.

Peace to the Communist dictators means something radically different from what peace means to freemen. To the Communist masters, peace means merely submission without resistance to the ruling Communist clique. Its inevitable result to individual human beings is poverty, disease, misery, and slavery, in a life of fear. Peace to freemen means abundance, happiness, security, and freedom, in a life of opportunity. Thus, until we positively know the Communist meaning of peace has completely changed, we should not be deceived by any Communist peace movement.

I am sure that no man living today is more determined than President Eisenhower to effectively, successfully, and as quickly as possible, turn back these Communist dictators—destroyers of peace—and make secure this free way of life we know and love.

Our recent transition of the reins of government from one of our major political parties to the other, a normal process for a free, democratic people, gives little hope to those who would destroy our form of Government. The retiring President riding with the new President to the inauguration, and the two sharing mutual loyalties and mutual determinations, must have been perplexing and discouraging to those who claim that democracy and private enterprise will not work.

While we believe in, are devoted to, and operate under a two-party system of government, this does not mean that party loyalty overshadows the basic principles of free government. Both Democrats and Republicans equally value American citizenship and know that no privilege is afforded to human beings which means more to an individual than being a citizen of the United States of America.

This rich heritage carries sobering obligations and responsibilities. We must defend and expand what we have if we hope to perpetuate it. We can remain free only by encouraging others to embrace and develop for themselves, in their own way, a free pattern of life which will bring to them abundance, happiness, security, and peace. The United Nations is an organization conceived and designed to build and expand this democratic concept of world peace.

It deserves our support. It also demands constant vigilance to see that none of its groups hinder our cause rather than help. Devotion to the cause of freemen everywhere is, and must continue to be, our compelling aim.

RECIPROCAL TRADE AGREEMENTS

Mr. SCUDDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCUDDER. Mr. Speaker, for some time now, I have been working on a program designed to bring about a more realistic approach to our trade agreements program—one which would provide needed protection to American interests and also allow for reasonable trade relations with other countries.

I have, therefore, today introduced a bill to extend the Trade Agreements Extension Act of 1951 with amendments which will make the act more practical.

The President has advocated an extension of the present act, but in so doing pointed out the necessity of providing legitimate safeguards to domestic industry, agriculture, and labor standards.

The Reciprocal Trade Act as applied during the past 20 years, has come to be a one-way street. Industries of the United States, in many instances, have been sold down the river through the granting of inequitable tariff concessions.

Some people, and certain countries, imply that the United States has been obstructing world trade.

This is far from being factual. The complaining countries have restrictive barriers between themselves and against us, their trade has diminished from loss of possessions and colonies and now they demand that the United States become the dumping grounds for their excess production.

An article in the January 24, 1953, issue of the California Farmer points out this fact. Reference is made therein to a statement by "Casey" J. M. Jones, executive secretary of the National Wool Growers Association, when, in appearing before the United States Tariff Commission, he said:

We are one of the lowest, if not the lowest, tariff country in the world. The average rate applying to tariffs collected on all imports coming into the United States is about 5½ percent; into Canada, 10.2 percent; Italy, 11 percent; United Kingdom, 11 percent; France, 11.2 percent; Australia, 17.1 percent; Mexico, 22.5 percent; and India, 25.3 percent.

These figures do not tell the entire story. On top of the big tariffs these countries also pile import licenses, embargoes, and currency manipulations.

Many American industries and workers will continue to suffer unless the reciprocity feature of the Reciprocal Trade Act is brought into a more equitable balance. I believe that domestic standards may be provided adequate protection while at the same time avoiding the impeding of world trade.

In introducing my bill to extend the present act for a period of 2 years, I have given this phase of the legislation par-

ticular attention. As the act now stands, the Tariff Commission conducts hearings and reports the peril point on all articles which will come up for discussion at trade meetings. That report goes to the President and is then placed in the hands of the Trade Agreements Committee, but there is nothing which prohibits this group from negotiating below the predetermined peril point.

My bill would reverse this procedure. The President could not authorize a concession on any article in violation of the peril point without first submitting his proposal to Congress and obtaining affirmative action by the Congress to circumvent the provisions of the peril point.

In other words, the responsibility of placing a domestic industry in a position of possible danger through tariff concessions would be placed in the hands of Congress, where it rightfully belongs.

THE PUNXSUTAWNEY GROUND HOG

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Speaker, I regret very much that I was unable to call to the attention of the Congress yesterday the prediction of that great prognosticator of the weather, the Punxsutawney ground hog. President Eisenhower delivered his state of the Union message and I therefore was unable to present the prediction of that great prophet for the coming 6 weeks.

Well, the ground hog saw his shadow at 7:38 a. m. on Gobbler's Knob at Punxsutawney, in the hills of Pennsylvania, and announced to his millions of followers that severe winter weather would continue until mid-March. And, as usual, there were the regular opportunists, quacks, fakes, interlopers, and nature-fakers of low degree who again intruded on the sacred tradition of the Punxsutawney ground hog in the same obnoxious manner as they have interjected themselves in the past.

Whenever I hear of these synthetic ground hogs and alley cats impinging on the one and only official forecaster—the Punxsutawney ground hog—it is my intention to expose them; quacks such as the one from Quarryville, Pa., Sun Prairie, Wis., West Virginia, Arkansas, and other points.

It might be said that yesterday the chuck's shadow, as usual, was duly recorded by the official shadowgraphers of the Punxsutawney Ground Hog Club.

After making his prediction of 6 weeks more of winter weather, he was asked if there was anything in particular he wanted to get off his chest. He paused momentarily, then launched into a scathing tirade against those fakers who have attempted to discredit him as the top weather prophet of the world. "Why," he said, "I've been forecasting the weather—and accurately—before some of those guys were out of knee pants, and they had better leave the job of forecasting the weather to an ex-

perienced head who has been giving out the right dope for more than 50 years." This was a fine, forthright statement from the seer of seers.

I might say, my colleagues, that I am proud and honored to represent Jefferson County and Punxsutawney—the home of the Punxsutawney ground hog—and I want to serve notice at this time that I will continue to defend this great meteorologist to the best of my ability from these periodic attacks upon the one and only forecaster who has accurately predicted the weather for nearly a century from his home on Gobbler's Knob in Pennsylvania's hills.

I shall continue to ignore and disregard the petulant predictions of those pestiferous piggeries parading under the guise of and basking in the glory of Punxsutawney's peerless prophet.

AMENDING REORGANIZATION ACT OF 1949

Mr. BROWN of Ohio. Mr. Speaker, I call up House Resolution 129 and ask for its immediate consideration.

The Clerk read as follows:

Resolved. That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for consideration of the bill (H. R. 1979) to amend the Reorganization Act of 1949 so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1955. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Government Operations, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH] and at this time yield myself such time as I may need.

Mr. Speaker, House Resolution 129 makes in order consideration of the bill (H. R. 1979), as amended, which is a bill to extend the Reorganization Act of 1949. The bill as it is presented to the House carries two provisions; one, the provision contained in the original bill, as I personally introduced it, to change the expiration date of the Reorganization Act of 1949 from April 1, 1953, to April 1, 1955. It also contains an amendment submitted by the gentleman from Michigan [Mr. HOFFMAN] which would change the vote necessary for the rejection of a Presidential organization plan in either House from a constitutional majority, or 218 in the House or 49 in the Senate, to a simple majority of those present.

Before discussing the merits of this bill, as they will be discussed fully, I am sure, in general debate, I should point out that this rule not only makes H. R. 1979 in order but provides 2 hours of general debate, following which the House will resolve itself into the Committee of the Whole where amendments may

be offered and considered under the 5-minute rule.

Mr. Speaker, I feel I should give to the House some explanation of the situation which confronts us.

The Reorganization Act of 1949, which would be extended by this bill, was adopted in the Eighty-first Congress and conferred upon President Truman the power and authority to submit organization plans to the Congress, with the understanding that if these organization plans were not rejected by one body or the other by a constitutional majority they would become effective within 60 days after submission.

At the time we had the Reorganization Act of 1949 before this body we voted, by not a too heavy majority, to require that both bodies of the Congress reject the reorganization plan or plans by a majority vote of both bodies. The bill was sent to the other body and there they wrote into the bill the simple majority provision or that the reorganization plan could be rejected by a simple majority of a single House. The measure then went to conference and was in conference for from 4 to 6 weeks. There was considerable discussion of the constitutional question as to whether or not Congress could give to the President greater legislative power than they themselves had. Finally, as a matter of compromise, the 1949 Reorganization Act, as we now know it, was accepted by both Houses, following the submission of the conference report that a reorganization plan can be rejected by a constitutional majority of either House.

As I submitted and introduced this bill, H. R. 1979, and as it was referred to the House Committee on Government Operations, it carried a very, very simple amendment to the Reorganization Act of 1949, which simply changed the expiration date from April 1, 1953, to April 1, 1955. The bill was written to accomplish one purpose and one purpose only, and that was to extend the 1949 Reorganization Act for 2 years, or until April 1, 1955. This was believed necessary in order to give to the President power and authority to submit reorganization plans to Congress during the next 2 years, and to permit their consideration by Congress.

I think I should be frank enough to say to the House that I had a rather lengthy and a very fine discussion with General Eisenhower in New York some time before he assumed the Presidency. I found him to be very much interested and very much concerned about the proper reorganization of the executive branch of the Government. We did not discuss details as to how this should be done, but at that time he expressed the feeling that the Reorganization Act should be extended, and I agreed with him in that position. Later on those who represent him in the executive branch in connection with reorganization matters came to see me and to discuss rather thoroughly and fully the different methods by which reorganization plans could be submitted and considered by the Congress. At that time the question came up as to whether or not any bill had been introduced in either branch to extend the reorganization authority contained in the 1949 Reorganization Act. Upon investigation it

was found such a bill had not been introduced. Thereupon I introduced this measure, H. R. 1979.

We asked for early consideration, by the House Committee on Government Operations, so as to give sufficient time for the consideration of the bill and also so the President might promptly know the length of time he would have in which to submit reorganization plans. Later advice was brought to me and to some of the other members of the committee that the other body, which had been so insistent when the original 1949 act was before us, that a reorganization plan could be vetoed by a simple majority of either House, that the other body was ready to report a bill which contained a provision so as to require only a simple majority to reject a reorganization plan, rather than a constitutional majority as now provided in the Reorganization Act of 1949.

Then a discussion was held as to whether or not, in order to avoid any long-drawn-out conflict between the two Houses, the House committee should accept an amendment to the bill which I had introduced so as to make it carry the same wording as the bills before the Senate.

I agreed that if this action was desired, it would be satisfactory with me. While I had the feeling there was a constitutional question involved, I was not in position to pass upon it, and was therefore perfectly willing to give to the President the same power President Truman had during the past 2½ or 3 years. I then stated that if the amendment to put the House bill in line with the proposed Senate bill was desired, the amendment should be prepared and submitted to me.

That amendment was prepared, and it was not prepared on Capitol Hill. It was later submitted to the chairman of the House committee, who had at previous times expressed his belief that a simple majority of one House was all that should be required to veto or reject a Presidential reorganization plan. The amendment was introduced by him in very good faith, with the understanding that the simple majority arrangement was entirely satisfactory to those representing the President in reorganization matters. The amendment was adopted by a majority vote of the Committee on Government Operations.

Let me say frankly that our minority members of the committee expressed a desire to give the new President the same or even greater powers than the 1949 act gave to President Truman.

I was very much touched by the great sympathy expressed by my Democratic colleagues on the committee for our President. I am very grateful to them. I am sure they will continue to cooperate with the President on the adoption of all his reorganization plans in the future. We look forward to their assistance and their aid in all these matters.

May I say that some of the minority members of our committee, and I am saying this seriously and very frankly, have been very helpful in the enactment of reorganization legislation in the past. However, I am sure that at that time

they did not have the same understanding of the situation as the majority members of the committee.

As evidence that the Republican members of the Committee on Government Operations acted fairly, and did only that which they believed was right, I point to the official press statement released later at the White House, in which it was stated there had been some sort of an agreement made to accept the simple majority provision contained in the bill reported in the other body. That press statement made it clear, of course, why the Republicans on the House committee went along with the Senate provision.

As far as I am personally concerned, I am willing to trust the House of Representatives and the Senate of the United States with the simple majority provision. I am convinced the President of the United States will send to this Congress reorganization plans so sound that they will only have the support of my Democratic colleagues on the Committee on Reorganization, but will also have the support of the entire Congress, with but few exceptions.

I think this whole matter has been magnified by the press and by others attempting to make it appear there was a conflict developing between the Republicans on Capitol Hill and the Republicans in the White House. Of course, I do not blame my colleagues on the other side of the aisle for attempting—well, let me put it the other way—at least they did not do anything to dampen those wild news reports or to quiet them down. It has really been quite a tempest and teapot, may I say.

While the President has said through his official statements that he did not seek any more power than contained in the bills reported by the other body, the Republicans in the Congress and on our committee, with few exceptions, are perfectly willing and ready to give the President all the reorganization power he can use constitutionally. We certainly are ready to give him as much authority as President Truman was given, especially in view of the fact—

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. May I please complete my thought, and then I will be glad to yield.

Mr. RAYBURN. Would the gentleman yield for a slight observation?

Mr. BROWN of Ohio. If I may please complete my thought, then I will be glad to yield for the gentleman's observation.

Mr. RAYBURN. It is apropos of what the gentleman has just said.

Mr. BROWN of Ohio. I yield to the gentleman.

Mr. RAYBURN. I just want to say to the gentleman that, of course, the minority—the temporary minority—believes in really sound organization, and we want to go along with sound policies.

Mr. BROWN of Ohio. That is very gracious of you.

Mr. RAYBURN. We would like to know what the majority is going to stand for so far as reorganization is concerned from one week to the next. That has been bothering us during the last 10 days.

Mr. BROWN of Ohio. I am sure there have been a great many things bothering the minority recently.

Mr. RAYBURN. The gentleman has been so lucid in his explanation of the statements made at the White House, and the action of the committees.

Mr. BROWN of Ohio. Let us not make a speech, Mr. Speaker, please.

Mr. RAYBURN. This is my first opportunity to speak in this session.

Mr. BROWN of Ohio. Will the gentleman yield me time from his side if I yield to him until my time expires?

Mr. RAYBURN. I just want to say we would like to know what the program is.

Mr. BROWN of Ohio. We shall certainly look forward to having the gentleman's cooperation. I can understand that the leadership on the Democratic side has been somewhat confused about what to expect, and I know you are greatly concerned about some of these situations, especially as to the future, as well as the present. But, we are looking forward to having your cooperation. We are very happy that you have gone on record, as minority leader, in support of these Presidential papers. We look forward to your aid in putting the President's reorganization plans through the Congress, and we are very, very appreciative.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. HOFFMAN of Michigan. If I may answer the gentleman, it will be a whole lot better than what we have had in the last 10 years. He need not worry about that. He can rest assured of that.

Mr. BROWN of Ohio. I am very proud of the fact that we can say to the former Speaker that President Eisenhower is perfectly willing to trust the Congress of the United States, and so has expressed himself through his official press releases.

Mr. Speaker, let me conclude, if I may, quickly, pointing out that this bill will, of course, be brought up under the 5-minute rule in Committee of the Whole, where amendments may be offered, and at which time, of course, the gentleman from Michigan [Mr. HOFFMAN], the chairman of the committee, will move to adopt the committee amendment contained in the bill. Upon amendment each of you may vote as you decide is in the best interest of the Government, and as to whether you want to change from the constitutional majority requirement to a simple majority provision.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Will the gentleman state what his position is today?

Mr. BROWN of Ohio. My position, as the gentleman well knows—and the gentleman, of course, cannot misrepresent me on the floor, and I do not think he would desire to do so—was to give the President the exact power contained in the 1949 act. Then, in view of the situation which developed in the other body, which indicated this bill might be sent to conference and develop into the same situation which endangered the 1949 act under the gentleman's able leadership, where it was tied up for 6

weeks between the two Houses, I agreed to accept the Senate amendment. I also took this position in view of the fact that I was given to understand the amendment was entirely satisfactory to the President, as was later made clear by the statement issued by the official press secretary to the President.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield further?

Mr. BROWN of Ohio. I cannot yield too long. My time is short.

Mr. McCORMACK. I am anxious to know what the gentleman's position is today.

Mr. BROWN of Ohio. I have said I was perfectly willing to give the President the powers contained in the bill as I introduced it, even though he did not request them.

Mr. McCORMACK. In other words, you are going to vote against the amendment.

Mr. BROWN of Ohio. Certainly, since there has been an understanding reached with the other body eliminating the need for such an amendment, and I hope you will also.

Mr. McCORMACK. Well, I do not know of any understanding.

Mr. BROWN of Ohio. Of course you do not. That is the trouble. Like some of the rest of us, you are perhaps rather uninformed, may I add, on all matters.

The SPEAKER. The time of the gentleman from Ohio has again expired.

Mr. SMITH of Virginia. Mr. Speaker, I do not think this matter is quite as controversial as it might appear to be. In its final analysis it is rather simple. During the Democratic administration we passed a Reorganization Act, in which the President could make proposals for reorganization, which would become effective unless a constitutional majority of one House voted against it. I think it has been clearly demonstrated in the committee, and here this morning, that the minority party, the Democratic Party, is anxious, as well as willing, to cooperate with the President in giving him an opportunity to carry out sound policies. Therefore, the Democratic side has proposed, and I understand will vote, and did vote in the committee, to give to President Eisenhower just as much power and authority in reorganization matters as we gave to the Democratic President. As a practical matter, that is about the only way you are going to bring about effective reorganization. We are anxious to cooperate to that end, but let me for the moment explain what the parliamentary situation is today.

The gentleman from Ohio [Mr. BROWN] introduced a simple bill which amended existing law on reorganization, by simply extending the date—changing the date so that it would expire 2 years from now instead of this year. In the committee, by a vote of the majority party that power of the President was limited by this amendment which will be proposed as a committee amendment. That limitation provided that any reorganization plan proposed by the President could be defeated by a simple vote of a majority of the Members who might be sitting on the floor at the time the bill came up, rather than a constitutional majority; that is, a majority of the whole elected membership of the House or of

the Senate, as the case might be. So that when this bill comes to the floor you will be presented with a committee amendment which restricts the President in his power to reorganize, so that a simple majority of the House could vote it down.

If you believe in giving the President more extended power, if you believe in giving him the same power the Democrats gave a Democratic President, then you will vote with us to defeat that amendment so that the law may be continued just as the original bill introduced by the gentleman from Ohio provided, namely, merely changing the date of expiration.

I may say to the gentleman from Ohio that I have only one more speaker; so if the gentleman will use all but one speaker on his side I will then yield to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. SCOTT].

Mr. SCOTT. Mr. Speaker, I am sure we are all appreciative of the fact that the gentleman from Virginia [Mr. SMITH] has explained the parliamentary situation; therefore, what I am about to say will not add much of anything new, because I agree that the Congress is the final judge as to the powers to be given to the executive department in a matter of this kind.

The executive department has certainly indicated that it will be satisfied with whatever action is taken by the legislative department, that it does not press for any specific or particular action by this body. It does seem to me, however, that the powers which were given to previous Presidents could, with propriety, be given to the new President. This view is supported by the letter, appearing in the committee report, of former President Hoover who indicated his favorable attitude toward the continuance of the act for a 2-year period without change and under the same powers which were given President Truman. Those who feel as President Hoover feels and as President Truman felt need only vote down the committee amendment and we will have a simple extension of the act.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, I think the statements made by my friend from Virginia [Mr. SMITH] and the gentleman from Pennsylvania [Mr. SCOTT] present the legislative situation: That those Members on both sides of the aisle who want to give President Eisenhower at least the same authority that was given to former President Truman can do so by voting down the committee amendment when it comes up in the Committee of the Whole. There will be no necessity, as I understand, for a motion to move the amendment or strike it out, because it is an amendment to a bill reported out of a committee and will come before the Committee of the Whole under the 5-minute rule as an amendment.

Without regard to the confusion of the last week, and I am not going to enter

into that too extensively, because I want to be considerate of the disturbed views and mental state of my friends on the Republican side where they find themselves on the first important measure of this administration following the leadership of the Democratic Party, I call attention to the fact that only yesterday the President in his message said:

I have already established a Committee on Government Organization. The Committee is using as its point of departure the reports of the Hoover Commission and subsequent studies by several independent agencies.

I also call your attention to what President Eisenhower then further said only yesterday:

To achieve the greater efficiency and economy which the Committee analysis showed to be possible I ask the Congress to extend the present Government Reorganization Act for a period of 18 months or 2 years beyond its expiration date of April 1, 1953.

We all know that President Eisenhower's press secretary last Thursday did say that the simple-majority amendment adopted by a majority of the committee was acceptable to President Eisenhower. We also know that the leader in the other body next day said he did not think it was agreeable. We all know that our own distinguished majority leader, the gentleman from Indiana [Mr. HALLECK], according to a newspaper statement that I read Saturday, as a result of the conference held with representatives of the White House, decided to go through with the existing law.

Without regard to the statements that have been made within the past 10 days, the President himself stated clearly yesterday that he wants extended the present law and not the bill as reported out of the committee. I am not going to make any further comment because I have too deep a personal respect and official respect also for my distinguished friends on the Republican side; but the fact remains that the 14 Democratic members of the Committee on Government Operations voted against the amendment. We voted to give to President Eisenhower the same authority that was given by the Congress to ex-President Truman a little over 2 years ago.

Mr. Speaker, may I make this further observation on the merits of the legislation. I recognize there are some who feel that there is a constitutional question involved, and I respect their views. I recognize that the gentleman from Michigan [Mr. HOFFMAN] strongly feels that way, and I deeply respect his views. I recognize also there are some who favor a simple majority as against a constitutional majority, and I respect their views. But, having lived with this question as some of us have for years, we realize, first, that the Congress in its entire history has never made a reorganization of the executive branch of Government. In order to do so there must be some practical action taken to accomplish that end. We realize that we have to delegate administrative authority—not legislative authority but administrative authority—to the President of the United States who is charged with the responsibility to submit to the Congress his plans.

Under the law that was passed 3 years ago and previously there were particular legislative standards prescribed that the President must comply with. So it is not a blanket delegation of legislative authority. If we were to pass a law just delegating it without general standards, I would agree that there is a constitutional question involved and, frankly, I agree that we have no constitutional authority to do so. But that is not what we have done.

We have laid out broad legislative standards. There is legislative criteria contained in the present law and will be in the law if extended that the President of the United States must comply with. Then we have the rejection which exists in the legislative branch, reserving to us the power of rejecting any plan submitted to the Congress by the President of the United States.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield? The gentleman has made a very fair statement. I wonder if he will permit me in turn to ask a question?

Mr. McCORMACK. I will be glad to yield to the gentleman.

Mr. BROWN of Ohio. If I understood the gentleman's position correctly, both in committee recently and in 1949 when we had the original 1949 Reorganization Act before us, it was his position that there should be given to the President the power to put into effect a reorganization plan unless a constitutional majority of both Houses rejected it. Was that the position of the gentleman?

Mr. McCORMACK. No; that was not my position.

Mr. BROWN of Ohio. Was that not the gentleman's position?

Mr. McCORMACK. No. My position was that unless there was a concurrent resolution introduced, which meant that both bodies had to reject it by a simple majority.

Mr. BROWN of Ohio. Then the gentleman stood for rejection by both bodies?

Mr. McCORMACK. Yes.

Mr. BROWN of Ohio. In 1949?

Mr. McCORMACK. We passed it through this branch.

Mr. BROWN of Ohio. That is right.

Mr. McCORMACK. And that was the follow-up of the two previous laws.

Mr. BROWN of Ohio. That was in 1949?

Mr. McCORMACK. Yes.

Mr. BROWN of Ohio. That was the gentleman's position. The gentleman served on the conference committee.

Mr. McCORMACK. Exactly.

Mr. BROWN of Ohio. And the gentleman brought in, did he not—

Mr. McCORMACK. A constitutional majority, exactly; reluctantly so, yes; reluctantly so.

Mr. BROWN of Ohio. I understand.

Mr. McCORMACK. I wanted the two-body rejection. Yes, I reluctantly agreed to it.

Mr. BROWN of Ohio. All right. Let us go ahead.

Mr. McCORMACK. All right.

Mr. BROWN of Ohio. Let us be logical.

Mr. McCORMACK. I would admit that my friend is always logical, and I shall try to respond.

Mr. BROWN of Ohio. All right. Thank you. Now the gentleman in 1949 was faced with a practical situation as the result of the position taken by another body of this Congress.

Mr. McCORMACK. Yes; but when we went into the conference we had something to compromise on. We did not compromise before we went there.

Mr. BROWN of Ohio. All right. Just a moment.

Mr. McCORMACK. Go ahead.

Mr. BROWN of Ohio. The gentleman was practical enough that he accepted a situation, reluctantly, as he pointed out, which confronted him.

Mr. McCORMACK. Well, that is a fair statement.

Mr. BROWN of Ohio. You have no criticism of anyone for reluctantly accepting some sort of a situation when the other body has reported the bill.

Mr. McCORMACK. I do not think I criticized anybody. I am going along with a very understanding mind and a mind of generosity. For whatever value my opinion might be worth, I think the President ought to be given authority to do the job. We can talk back and forth, but we want results. We are coming now to a vote on this bill. No matter what somebody might have said about the position here in the past 5 days, in the final result we want legislation that is in the best interest of our country. Without regard to party, I think it is for the best interest of the country to give to President Eisenhower the authority contained in the present law. I would go further, I will be frank, I would go for a two-House veto; I believe in it, but that question is not before the House today. The question before the House is whether you are going to give the President, when he submits a plan, a constitutional majority to reject it or a simple majority. I think it is in the best interest of the people and of our Government to give to President Eisenhower the same authority we gave to President Truman. I hope when that vote comes that you Republicans, or enough of you Republicans, will join with us Democrats to give the leadership to the country that will bring about a strong bill and to give to President Eisenhower the power to efficiently and effectively make reorganizations.

Mr. BROWN of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. OAKMAN].

Mr. OAKMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a telegram received from Charles B. Coates.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OAKMAN. Mr. Speaker, the present effort to reduce the powers of the President of the United States, with respect to reorganization of the executive branch of Government, constitutes in my opinion a direct repudiation of one of the most solemn promises made by the Republican Party, in the course of the recent election campaign.

In support of my thesis that the American people want and expect the new

administration to reorganize and streamline the Federal Government, let me quote briefly from the Republican platform of 1952.

Said the platform:

We pledge a thorough reorganization of the Federal Government in accordance with the principles set forth in the report of the Hoover Commission, which was established by the Republican Eightieth Congress.

Nothing could be clearer than that, Mr. Speaker. Republican leaders made a definite promise. The voters took that promise into consideration when they gave President Eisenhower the biggest vote ever given to an American President.

Now we are presented with our first major opportunity to support the President in his effort to make good on the campaign promises which enabled him to lead his party back into control of both legislative and executive branches of the Government.

This promise to reorganize and streamline the Government in accordance with the principles set forth in the Hoover report is no less important to the welfare of the American people than is that other promise to seek an honorable and victorious end to the war in Korea.

We cannot—we must not—fail to support the President now. We must retain to him those adequate powers to reorganize the executive branch of Government which were possessed by his predecessor in office. In my own opinion, we would do well if we should strengthen rather than weaken those powers.

Originally the Hoover Commission recommended to the Congress that both Houses should have to veto a reorganization plan proposed by the President in order to set it aside. The final decision to permit a veto by either or both Houses was a compromise.

That there may have been reason for the compromise, at the time it was made, is more than possible in the light of another paragraph in the Republican platform.

Said the platform:

We denounce the duplicity in submitting to Congress for approval, reorganization plans which were represented as being in accordance with the principles of the Hoover Commission recommendations, but which in fact were actually intended to further partisan political purposes of the administration in power.

The compromise was made before my time on this floor, and so I know little of the specific considerations on which it was based. But I do know, Mr. Speaker, that 46 public laws have been passed, implementing the Hoover report, and 30 or more proposals by the Democratic administration were approved.

This means that approximately 50 percent of the Hoover Commission recommendations today are in effect. Government operational savings, as a result, are estimated at \$2,000,000,000 annually. That the Democratic administration more than offset these savings by expenditures elsewhere, is beside the point at this time.

In any event, political scientists and other students of government know that because of failure to complete properly the job of reorganizing the executive branch of the Federal establishment, it

is not the President, not the Congress, not the American people, but the bureaucrats who have been running the people's business—the Federal Government—for too long.

Because of these things, it is quite understandable that some Members of this honorable body should entertain lively fears as to the possibility of further misuse of the reorganizing power. No doubt they recognize, as we all must, that even Presidents and their advisers are human, and that power tends to corrupt.

But in view of the accomplishments of the new administration in the first 2 weeks of its existence, and in view of the program laid down by President Eisenhower in his message on the state of the Union, I think we can rest assured that any new reorganization plans presented to the Congress will be such as the Hoover Commission, in its wisdom, really intended.

Still further, it seems to me, we can be sure that the new President and his advisers will take a good look at the reorganization plans already approved and in effect, with a view toward making them conform more closely with the intent of the Hoover Commission, and hence with the intent of Congress.

It may be argued that Congress is the real governing body of the Federal Union, and that it is the duty of Congress itself to handle the reorganization in all its details. These arguments are not to be controverted.

From the theoretical standpoint, they are good arguments. They are quite unanswerable. But we are faced here, Mr. Speaker, with a condition and not a theory. Experience has shown that the Congress, by reason of so many conflicting interests and ideas, cannot effectively reorganize the executive branch of Government.

Past efforts by Congress to legislate reorganization of the various agencies of Government, I believe, too often have resulted in compromise, when compromise served only to render the reorganization futile. The sole cure for this condition, I submit, is to continue the reorganization power in the hands of the President, and to give him authority consonant with his responsibility.

If the President of the United States must tailor each reorganization proposal to meet the possibility of veto by a simple majority of either House of Congress, then he may find it necessary to compromise with the facts, if not with his own conscience.

On the other hand, if he feels confident that his proposals will not be defeated by a minority, he can be expected to make them such as may redound to Government economy and efficiency, and to honesty in the conduct of public affairs.

The Government of the United States, may I say, constitutes the largest and most powerful corporation on the face of the globe. As such, and within the framework of constitutional law and the facts of political life, it must be transformed into the ultimate exemplar of corporate efficiency.

Now we have a President who can be trusted, on his record, to use the reorganizing power to good and honorable ad-

vantage. We know, in any event, that powers which Congress confers, Congress can take away.

Then let us give to the President the reorganizing power, subject to veto only by a constitutional majority of either House of Congress. I do not believe that one House or the other, in the unlikely event a proposal should be foolish or wrongful, would fail to veto it by such a majority.

On this basis, is there any reason why we should load the dice against a full and effective reorganization of the executive branch? On the contrary, there is every reason why we should not.

As for myself, I would paraphrase the statement of a former Secretary of State; but please note, in a different context and with implications quite to the contrary.

I would say: "I shall not be one to turn my back on the President of the United States."

NEW YORK, N. Y., February 2, 1953.

HON. CHARLES G. OAKMAN,

House Office Building:

We share your concern over the proposed amendment to the bill extending the Reorganization Act of 1949. In our view the substitution of an ordinary majority for a constitutional majority in either House greatly endangers the outlook for any substantial action on reorganization. In effect it means that 25 Members of a Legislature of 531 can negate the President's proposals, even though these may fully express the best thinking of the administration of the Congress as a whole and the public. This amendment represents a long step backward at the very time when the Nation should be moving forward to insure a well-organized compact responsive executive branch so gravely needed in a time of crisis. I am sure that Dr. Pollock and the other members of the Hoover Commission share this view. In the absence of Chairman Sidney A. Mitchell please accept the assurance that the Citizens Committee for the Hoover Report strongly urges renewal of the Organization Act of 1949 without amendment.

CHARLES B. COATES,

Vice Chairman and General Manager,
Citizens Committee for the Hoover
Report.

PHILADELPHIA, PA., February 3, 1953.

HON. CHARLES G. OAKMAN,

House of Representatives,

House Office Building,

DEAR MR. OAKMAN: Thank you for your telegram of February 2 regarding the reorganization bills reported by the House and Senate committees permitting veto of presidential plans by a simple majority of either Chamber. I share your concern about this proposed curtailment of the President's powers. It would seem to me that President Eisenhower should have at least as much authority with respect to reorganization as was enjoyed by the outgoing administration.

Obviously if the proposal to permit veto by a simple majority goes through, little, if any, reorganization of an effective nature can be obtained. We are working very hard to provide the special committee with worthwhile recommendations to the end of insuring the soundest possible management of the executive branch. I hope that Congress will support us in our efforts by granting the President the kind of reorganization powers which he needs to do his job.

My friend, Jim Pollock, as a former Hoover Commissioner, undoubtedly thoroughly understands the seriousness of the proposed curtailment of the President's powers. I

very much appreciate your getting in touch with me, and I wish you the best of success in your efforts.

Sincerely,

ROBERT L. JOHNSON,
Director, Temple University Survey
of Federal Reorganization.

Mr. BROWN of Ohio. Mr. Speaker, I yield 8 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, it is quite obvious we are getting away to a good start in this Congress. We have Democrats in the leadership, including my very estimable friends, ex-Speaker RAYBURN and ex-Majority Leader McCORMACK, who want to go along with the administration. For that I am very happy. I do not know how long that will last. Maybe a little later on we will be dividing up the men from the boys, I do not know, but we hope it will last for a long time, because Mr. RAYBURN has spoken a time or two of the temporary minority in which he presently finds himself. May I say that I can understand his disappointment at being in the minority, but he can probably look forward to a very considerable service in that capacity.

I want to commend the gentleman from Ohio [Mr. BROWN], who has made such an able statement here. May I call the attention of those of you who may have forgotten it, and maybe some who are newcomers here who never did know about it, to the fact that it was he who back in the Republican Eightieth Congress initiated the action that created the Hoover Commission. Insofar as the reorganization of the executive branch of the Government is concerned, that was the starting point for about everything that has been accomplished that has been worth while.

There is more work to be done and we hope to get it done, but let us not forget as we talk about who is going to carry on the processes of reorganization, and there certainly is much room for reorganization, that it was the Republican Party and the majority leadership of the Eightieth Congress that started the show.

The Commission operated under the leadership of ex-President Hoover and did a good job, everything considered. As I say, many of their recommendations are yet to be acted upon.

There is another thing that has come out of all this. I realize with many that there has been something of a tempest in a teapot, because I do not think there is anything to be too much concerned about. But one thing is crystal clear and that is that we have in the White House today a President of the United States who by his every act and word convinces me, as he must convince you, that he wants to cooperate with the Congress of the United States, that he wants to grant and yield to the Congress of the United States its rightful position as the legislative branch of the Government under our time-honored, constitutional tripartite system.

I know there are some people present who do not think much of the method of reorganization that is here proposed. They did not like it when it started. I can remember those early days when we had some bitter battles here under Democratic leadership, when the right

was sought to interfere with the Comptroller General who is an officer of the Congress of the United States alone, and when the right was sought to destroy the great quasi-legislative agencies of the Government. Those proposals were turned back. But finally in 1949, after the creation of the Hoover Commission, I think it was generally recognized that this sort of arrangement was desirable in the public interest.

It does do some violence to the concept of legislative authority under which we initiate legislation in the Congress of the United States, because what we really do is transfer to the executive branch of the Government the power to initiate the legislation, reserving to ourselves the right of veto. However, as has been pointed out so well by the gentleman from Massachusetts [Mr. McCORMACK], I think experience has demonstrated that it is necessary on occasion that we have that device in order to bring about effective reorganization.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. It is not an unlimited delegation, but it is a broad, general delegation.

Mr. HALLECK. That is true.

In order that my position may be made perfectly clear, I am going to support this bill, I am going to vote against the amendment, if it is offered, and I am going to vote for the bill on passage. I think that is the attitude that most of us are going to take.

There has been talk about a simple majority and a constitutional majority. The matter was discussed at the White House when we were down there. The fact of the matter is that a great many people in this body and the other body, Democrats and Republicans, have firmly believed for years that the simple majority route is the best route. They believe that they can sustain it with good argument.

We all realize that earlier when this matter was before the other body there was insistence on the simple majority. It has been pointed out by my friend from Ohio [Mr. BROWN] that the matter was long in conference. It became something of a crisis before the matter was brought out of conference. So I can understand the things that were in the minds of our people on the committee.

Let me make this further point—that I know of my own knowledge that our people on that committee acted the other day upon information which under the circumstances, would be considered reliable. They had every reason to believe that the simple majority route was perhaps not desired by certain people at the White House but, at least, in the attitude they have taken of cooperation and absence of dictation and domination, maybe it would be agreeable.

But since that time it is now evident and apparent to all of us that what is really desired, and what we ought to give to the President is the power contained in the bill as originally introduced by the gentleman from Ohio [Mr. BROWN]. And certainly the fact that he introduced that bill in that form is evidence

of his good faith, and evidence of the good faith on the part of everyone who undertook to deal with this matter.

I do not know how much difference the matter of the simple majority and the matter of the constitutional majority would make in practice. I understand that in this body there was only one occasion when a plan would have been defeated under the simple majority operation, but it did carry and was not vetoed here because of the requirement for the constitutional majority. Now, certainly if the experience in the other body were the same as that, then it would be tweedledee and tweedledum as to which plan we adopted.

But in any event the President of the United States through his campaign expressed himself as being highly desirous of bringing about much needed reorganization in the executive branch of the Government. I think everyone who heard him here yesterday is impressed with his sincerity and with his devotion to the accomplishment of the objectives which he outlined. I, for one, want to give him the right and the power and the opportunity as far as I can do so under the Constitution, and in accordance with the dictates of my conscience, to make it possible for him to accomplish those objectives and do the job that I know needs to be done in the matter of streamlining the executive branch of the Government for more efficiency and economy in our whole operation.

So thanks again to all of you people for just going along with us. We are glad to have you, and as the gentleman from Ohio said, we hope it will last a long time, because although we might be able to do it by ourselves, if it is possible that you go along with us, and we need not do it by ourselves, it will be just that much better.

The SPEAKER. The time of the gentleman from Indiana has expired.

All time has expired.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

Mr. HOFFMAN of Michigan. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1979) to amend the Reorganization Act of 1949 so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1955; and pending that motion, Mr. Speaker, I ask unanimous consent that all Members who speak in Committee of the Whole may have permission to revise and extend their remarks and include certain other matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Michigan.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the con-

sideration of the bill H. R. 1979, with Mr. JENKINS in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. BROWNSON], a member of the committee.

Mr. BROWNSON. Mr. Chairman, the persistent attempts of the minority to suggest that utter confusion exists in the ranks of the Republican Party are obviously moves to stress partisan politics at a time when the citizens are much more interested in action toward sound, economical, efficient Government.

What are the facts? Simply these. There were several conferences and conversations last week between the President and his advisers and representatives of the leadership of Congress. Instead of recognizing these conferences as worthwhile meetings of able leaders in search of a solution to the problem of reorganization, the opposition chooses, quite arbitrarily, to condemn them as confusion.

After discussing this legislation with my colleagues, I find that I am one of the many of the majority side of the aisle who are not disturbed by these frank discussions between the executive branch and the representatives of our legislative bodies. Attempts to adjust the delicate balance between the power of the Executive and the power of Congress are normal to our form of Government. Dr. Ernest S. Griffith, director, legislative reference service, in his valuable study, Congress: Its Contemporary Role, discusses the problem of executive-legislative relations at great length in chapter 4, using as his lead paragraph the following thought which seems particularly applicable to the informal maneuvering of the past week:

Far more attention has been paid to the clashes, rivalries, and differences between the executive in general, and the President in particular, on the one hand and Congress on the other than to their cooperation. We must grant that it is sociologically inherent that two coordinate centers of power operating in a common area will be jealous of each other and will each strive to gain the ascendancy. But it is also psychologically true that there will be accommodation when the shared end is great enough to command a common loyalty or urgent enough to force a solution. If the persons involved are public-spirited, naturally friendly, and broad-gaged—and more often than not the President, the department heads, and the Congressmen are all three—the Government becomes workable. Their mutually independent positions also have this advantage, that each usually is required to convince the other—always a humbling and wholesome experience—before effective action can be taken.

To me, and to the American people, it is refreshing to have a President in the White House who will discuss these important reorganization proposals in a series of meetings with the leaders of Congress. It is reassuring to have a Chief Executive who does not make demands on Congress; who does not send down directives to a rubber-stamp House. It is certainly different to have a President with whom it is possible for the leaders of Congress to exchange ideas in deliberative discussions, calcu-

lated to produce the best possible reorganization legislation.

Already in this debate the argument has been frequently advanced that President Eisenhower should be granted at least as much authority as former President Truman was given by the Eighty-first and Eighty-second Congresses. While I appreciate the desire of those who advance this theory to cooperate fully with the President, I do not find this reason a valid argument in favor of the legislation which we are considering today.

It does seem to me, however, that there exists a most valid reason for extending to President Eisenhower, at this time, the full authority to reorganize the executive branch of the Federal Government, which has been enjoyed by other Presidents. This reason, which transcends the fields of personalities and politics is based on the fact that many of the Hoover Commission proposals, published in 1949, have not yet been given serious consideration by the legislative committees of the Congress and have not yet been reported out for action on the floor of the House either as a Presidential reorganization plan or in the form of congressionally drafted legislation. This reason is entirely beyond the argument that this power was previously given to President Truman. It is a line of reasoning based entirely on the enormity of the job that is still ahead.

The best estimates that I have been able to get from political scientists and other observers of this area of reorganization, indicate that only approximately 50 or 55 percent of the Hoover Commission recommendations have been adopted. That leaves an all-important area of 45 to 50 percent of the Commission's recommendations yet ahead of us.

Members of the House far more experienced than I am in the passage of legislation tell me that the 45 to 50 percent of the Hoover Commission recommendations which have not yet been considered, represent the really difficult achievements in reorganization. The road ahead is difficult to travel into areas where reorganization will be difficult—areas where pressures from the agencies and pressures from interest groups will be heaviest. With the difficult problems attendant upon reorganizing the Department of Agriculture, the Post Office Department, the Veterans' Administration, and social security facing President Eisenhower, I maintain that it is essential that we continue the reorganization authority as it exists.

While I realize that at most, the reports of the Hoover Commission were intended to serve only as a guide to Congress and were never considered at any time to constitute a mandate either to the Executive or to Congress, I do believe that the 18 areas of reorganization covered by the Commission represent fields in which some action should be taken. If we are to assume that reorganization of one type or another is desirable in these 18 areas, let us look for a moment at the reorganization box score approximately as it appears today. Obviously, it is unlikely that any two authorities would agree exactly on the per-

cent of reorganization achieved in any given field.

However, the percentages I shall quote indicate approximately the current box score on Hoover Commission reorganization.

In the area of general management there has been an estimated 80 percent of the reorganization accomplished and legislation enacted, with 20 percent to go.

The field of personnel management does not look quite so good, with only 35 percent enacted and 65 percent to go.

As far as the office of General Services and Supply Activities is concerned, we find 95 percent enacted; 5 percent to go.

Post Office Department, 30 percent enacted; 70 percent to go.

Area of foreign affairs, 80 percent enacted and 20 percent to go.

Department of Agriculture, zero percent enacted; 100 percent to go.

Area of budgeting and accounting, 85 percent enacted; 15 percent to go.

National-security organizations, 95 percent enacted; 5 percent to go.

Veterans' affairs, 5 percent enacted; 95 percent to go.

Department of Commerce, 70 percent enacted; 30 percent to go.

Treasury Department, 40 percent enacted; 60 percent to go.

Regulatory agencies, 66 percent enacted; 34 percent to go.

Department of Labor, 80 percent enacted; 20 percent to go.

Department of Interior, 20 percent enacted; 80 percent to go.

Social Security and Indian Affairs, 5 percent enacted; 95 percent to go.

Medical activities, 10 percent enacted; 90 percent to go.

Federal business enterprises, 25 percent enacted; 75 percent to go.

Overseas organizations, Federal and State Relations and Federal Research, 50 percent enacted; 50 percent to go.

General Management, 80 percent enacted; 20 percent to go.

Now, Mr. Chairman, I prefer to take the position that this House may at some time reach a point where it is unnecessary to delegate reorganization authority; a point where it will be possible for all reorganization legislation to come through committee as any other legislation would come, so that the will of the House may be worked upon this legislation in committee, and so that the amendments of the House might be accepted in the Committee of the Whole.

Unfortunately, I do not believe that time has yet come. I am hopeful that with the vigorous attention to the field of reorganization which President Eisenhower pledged to us yesterday in his state of the Union message, this is the last time it will be necessary for us to meet here in this House of Representatives and delegate some of our legislative power to the Executive. However, I feel that with the area of accomplishments that still lie ahead of us, with the way progress has been delayed—and I make no charges of a partisan nature in marking that delay, we must continue the full reorganization authority of the President. In 3 years we have considered only 55 percent of the total Hoover

Commission program. On that basis I say that this authority is needed, and it is needed without amendment, if we are going to proceed on toward a real solution to the reorganization problems of the Federal Government and make it practical for President Eisenhower and for all of us in Congress to bring about a realization of the campaign promises on which we were elected in this last election; promises of efficiency, economy, and common sense in Government.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROWNSON. I am glad to yield to my distinguished chairman.

Mr. HOFFMAN of Michigan. The gentleman made a most instructive statement when he told us the various percentages of the Hoover recommendations which have been effectuated. The gentleman recalls, of course, that Republicans introduced bills to implement every one of the Hoover Commission's recommendations way back when the opposition was in full control. If there is anything to be said about their not being effectuated it rests not with the present majority, but with the minority on the other side of the aisle.

Mr. BROWNSON. I certainly agree with my distinguished chairman, for I well remember the great difficulty I had trying to get some of the Hoover Commission legislation considered in the last session of Congress when the Democratic Party controlled our subcommittees and our committee.

Since our distinguished committee chairman commented on the percentage of achievement figures, it may be of interest to suggest what these uncompleted areas might be expected to mean in dollar economies. The Hoover Commission task force on personnel estimated a savings of between \$256,000,000 and \$600,000,000 when its recommendations were enacted and personnel reorganization was completed. Since we still have 65 percent of the way to go in this field, it may be possible to predict savings of between \$166,000,000 and \$390,000,000 if this reorganization is productive of the economy its planners predict.

In the field of veterans affairs possible savings of \$71,000,000 might result if the other 95 percent of reorganization could be completed in such a manner that benefits to the veteran would not suffer.

In the area of revolving funds and business enterprises with 75 percent of the way yet to go, toward the task force estimate of \$30,000,000 in savings, it appears that \$22,500,000 may be saved by completing reorganization. Add to these an estimated savings of \$44,000,000 in agriculture activities, in which area no reorganization progress has been reported and a possible \$98,000,000 saving in the completion of reorganization of the Post Office Department and you have between \$400,000,000 and \$620,000,000 which may be saved annually if President Eisenhower is given the authority to complete the reorganization program started in 1949 on the basis of legislation passed by the Republican Eightieth Congress.

The stakes are high; the need is desperate. The responsibility is ours. Once the controversial portions of the Hoover Commission recommendations have re-

ceived a fair hearing, I can see no need for further delegation of legislative authority; a delegation which I know is distasteful to many thoughtful students of government in this House.

As for myself, I shall vote against the amendment and in favor of the bill in order that the desire of the voters for efficiency and economy in Government, through reorganization, will not be frustrating in this Republican administration as it has been for the past 2 years.

Mr. DAWSON of Illinois. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, it is with pardonable pride that I rise to address you at this time; I am proud of the fact that the committee of which I was the chairman was responsible for the Reorganization Act of 1949 under which 65 percent—and I have the authority of the Citizens Committee on the Hoover Report for that figure—65 percent of the recommendations were effectuated either by legislation or by planning. I am proud also of the fact that I belong to the party that gives reorganization not a mouth service but a real service. We believe that the people of these United States are entitled to reorganization in the executive department. We know that the executive department has grown through the years, because of war and because of the necessity of rapidly meeting emergencies that have arisen, that many, many agencies came into being until now the executive department is a sprawling, loosely arranged organization and badly needs reorganizing. We also know something of the difficulties of reorganization, because every head of every department, bureau, or commission wants reorganization, but not of his own agency; consequently, when legislation was sought from the Congress the head of any department to be reorganized was found not only objecting himself but going throughout the country and raising a lobby that would bring pressure upon different Congressmen against reorganizing that department. So that when Congress, in its judgment, turned over to the head of the executive department, the President, the duty of submitting reorganization plans, it took the opportunity out of the hands of the heads of bureaus and commissions and relieved them of the task of lobbying against the bill, because I do not believe that the head of any bureau, department, or commission in the Federal Government would come up here and lobby against a plan that had been submitted to us by the President; so it was absolutely necessary in order to reorganize the executive department that we put the responsibility in the hands of the Chief Executive.

Experience has shown that we still ought to give him sufficient power and authority that any upsetting of the plan could come about only after due deliberation and due debate in this Congress. That was shown because the Reorganization Act, known as the Economy Act of 1932, which was the same act that this law as amended would be, the simple one-house veto, President Hoover sent up many plans, but not a single plan sent up by him under that law was ever enacted into law.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Illinois. I will always yield gladly to my distinguished chairman.

Mr. HOFFMAN of Michigan. And they were rejected by a Democratic Congress, were they not?

Mr. DAWSON of Illinois. And it looks like President Eisenhower's requests are going to be turned down by a Republican majority, does it not?

Mr. HOFFMAN of Michigan. Wait and see.

Mr. DAWSON of Illinois. No, we will not wait and see, because in my judgment you now know it is not a good thing to tie President Eisenhower's hands by such a law. I am proud that in the committee the Democratic members of the committee, who had given so much time and attention to the subject of reorganization, were willing not to tie the hands of the President but were willing to give him sufficient authority to enable him to do a good job of reorganization. We were willing not only to go beyond the constitutional majority of either House but to require a majority of both Houses in order to defeat a Presidential plan.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a correction?

Mr. DAWSON of Illinois. I yield once again to my distinguished chairman.

Mr. HOFFMAN of Michigan. I do not propose and never did propose to tie the hands of the President.

Mr. DAWSON of Illinois. If the gentleman will make his statement in his own time I would appreciate it.

Mr. HOFFMAN of Michigan. I want the constitutional authority vested in the Congress of the United States to remain there.

Mr. DAWSON of Illinois. The gentleman talks about constitutional authority. That is not a new question, because Congress after Congress has given the President the power to reorganize, beginning with President Hoover on down, and not once has it been attacked and found unconstitutional as far as the delegation of power was concerned. So the gentleman lives in a yesteryear, the gentleman will not recognize what is happening every day; the real fact is that the gentleman does not believe in any type of reorganization. That is why he was for the simple majority of either House, which is shown both by his words and by his vote in the committee.

In giving due deference to the Democrats on that committee, I could not be fair if I did not state that the vote in committee was 15 to 14. There are 30 members of that committee. One Republican voted "present." I could not be fair unless I paid deference to that one Republican who because he believed that the President ought to be given adequate power, because he knows the difficulty of getting reorganization through this Congress, would not vote with us but would not vote with them. So the vote stood 14 to 15 in committee with one voting "present."

Mr. Chairman, I am hopeful that when this amendment comes before the House the House, as well as the other body,

will support the hand of our new President and that the Congress will give at least the power that was given to former President Harry S. Truman. And while I am standing here as a Member of the House, I want to say once again that I am proud to be a Member of this body when I see what the House has always done about reorganization.

Out of all of the plans submitted by the President there was only one plan defeated in this House. That was the plan to give to FSA cabinet status and, in my opinion, that was rather a personal matter than one aimed against the plan itself. So we have the situation where every plan submitted by the past President except one was accepted by this House. Any plans that were defeated was done over in the other body.

So, as we stand here talking about reorganization, I am hopeful that the Republicans will, as a matter of pride, abandon that stand and I am hoping they will agree with the Democratic minority that does not play politics with matters of interest to our country.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Illinois. I always yield to one whom I regard so highly, a distinguished member of our committee.

Mr. JUDD. I thank the gentleman for his regard which he knows I share in equal measure for him. But does the gentleman think that either Republicans or Democrats sought to abandon what they regard as important principles, just because the President is of their party?

Mr. DAWSON of Illinois. I think the Republicans ought to learn the difference between principles and good judgment.

Mr. JUDD. Some of us have crusaded all these years for principles. We think they are more important than men—any men. I am sure the gentleman would not ask us to abandon what we believe to be constitutional principles just because it might be more expedient and might be better politics and perhaps might be portrayed as better judgment.

Mr. DAWSON of Illinois. The gentleman does not understand anything I said if he puts that construction on my language. I thought I had the powers of expression. None of us would abandon principles, and it is good principle of government administration to give the President of the United States power to reorganize the executive department. If Congress holds to its right to initiate all legislation on reorganizing the executive department, why has it not done so? Why did it not do it throughout all these years? In all these years Congress has not, on its own motion, taken the time to go into extensive reorganizations of the executive department. Let us do it. And, when they start it, they will find pressure will be brought on them that cannot be brought on the President of the United States, because he is the head of the executive department, and those who would bring pressure on Congress would not bring it on him.

Mr. JUDD. I am sorry if I misunderstood. The gentleman knows that both he and I have favored reorganization powers and plans, but it is the method and the final authority on which we disagree.

Mr. DAWSON of Illinois. That is why I am wondering why you are abandoning your President.

Mr. JUDD. We are not abandoning our President. We are refusing to abandon our conviction that on every matter of legislative responsibility the final say must be in the Congress. It is not that we love our President less, but that we love our Constitution, as we understand it, more.

Mr. DAWSON of Illinois. We love our Nation more than that.

Mr. HOFFMAN of Michigan. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, may I say that I also agree in the statement that was recently made that we are getting off to a very good start. We get a great deal of sympathy, solicitude, and humor from our friends on the other side of the aisle, and we also get rapped on the knuckles by them quite frequently. But may I say that this whole matter has been made rather larger and more important than it should be. It is merely a question of perhaps a slight misunderstanding. Certainly, the Republicans on the committee as far as I know were in favor of reorganization. There has never been any question of that in anyone's mind. There may have been, indeed, and quite properly so, a question as to method, a question as to the constitutionality, a question of what kind of majority would be preferred: constitutional or a straight majority. On the other hand, we were assured that this amendment as it was offered and passed by the committee was written downtown and was entirely acceptable. This was verified when Mr. Hagerty made a statement to the press that the President had no objection to the amendment. Now in the course of time it appears that it is not so desirable; that it would impair the powers of the President and that his thought has been changed. I am not one who objects to people changing their minds; in fact, I belong to a sex that has always upheld that prerogative. Not only that, I am also a great believer, and I recommend it to a great many of my colleagues, that consistency is the vice of little minds. It is a good thing to be able to learn, it is a good thing to be able to change, and I for one propose to change, because I told my people before the election that one of the things I would do in this Congress would be to support President Eisenhower; that if at any time or on any occasion his judgment and mine should clash, I would submit my judgment to his, because I feel that he has proved in the past and will prove in the future that his judgment is far better than mine. Therefore this change will not upset me in the least and I do not believe it is going to upset many people on the committee. I have no doubt that our friends, the press, who still hold consistency as the greatest virtue, will make the most of it, and my reply to them is, go ahead and try to do it. As long as the people understand the situation we do not have to worry about a few smart remarks and a few humorous quips, which we are glad to accept at any time.

Mr. DAWSON of Illinois. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Chairman, during the recent campaign, President Eisenhower made a promise to the American people that when he was elected he would initiate plans to reorganize and streamline the administrative and executive branch of Government. In his speech at St. Louis, Mo., on October 20, 1952, he spoke on this subject in some detail. That our President was sincere in this pledge is evidenced by his request that Congress extend the Reorganization Act of 1949, in order that he might have the authority to present to the Congress, under special conditions, certain plans to reorganize the executive departments of Government.

Further evidence of his sincerity is given in the fact that his first request for legislation from Congress was the particular request to extend the Reorganization Act of 1949. Additional evidence is furnished by the fact that Mr. Dodge, the new Director of the Budget, appeared before the House Committee on Government Operations on January 27, 1953, and conveyed to us the wishes of the President.

In not less than eight instances, Mr. Dodge made quite clear that the administration wanted the Reorganization Act of 1949 extended without change, modification or amendment.

If the Members will consult pages 9 and 10 of the report they may read the exact words Mr. Dodge used before the Government Operations Committee. I notice that the majority report of our committee also quotes the Honorable Joseph M. Dodge's endorsement of H. R. 1979.

Let me pause at this point to emphasize the fact that Mr. Dodge's testimony in favor of H. R. 1979 pertained to the bill as originally introduced in the House by the gentleman from Ohio, the Honorable CLARENCE BROWN, and as originally introduced in the other body by the senior Senator from Ohio.

Mr. Dodge's endorsement did not pertain to the bill as amended by the Hoffman amendment. This is brought out clearly by his answers to questions on the possible effect of this type of amendment. You will find those answers on pages 9 and 10 of the report.

Mr. Dodge was the only witness before our committee on this bill, with the exception of the sponsor of the bill, the Honorable CLARENCE BROWN, who is a member of the committee. No testimony was received from witnesses on behalf of the Hoffman amendment. At the conclusion of the testimony of Mr. Dodge, and the statement made by Mr. Brown on behalf of his bill, the Hoffman amendment was offered and was adopted by a vote of 15 Republicans in the affirmative, one Republican voting present, and 14 Democrats voting against the amendment to substitute a simple majority for the constitutional majority required in the Reorganization Act of 1949.

Up to this point, the record on handling this legislation was fairly clear, but from this time forward the guidance of the legislation becomes somewhat confused.

There was an immediate outcry from responsible newspapers, such as the New York Times, the Washington Evening Star, and the Washington Post, not to mention others, condemning this particular nullification of the powers of the President to reorganize the Government in line with his campaign promises. The press pointed out that this was a denial of power and a demonstration of a lack of confidence in our new President. It was also pointed out that the Congress was refusing the President's first legislative request and was not giving to the new President the same powers which we gave to President Truman.

Democratic Members who are, and have been, exponents of reorganization of Government in order to eliminate waste and inefficiency took exactly this position. From long experience we knew that unless the President was granted an extraordinary arrangement, reorganization plans which he might send to the Congress would be defeated.

As pointed out in our report, pages 8 and 9, an attempt to reorganize the executive departments under this method of simple majority rejection failed completely in 1932. President Hoover sent 11 plans to the Congress in that year and they were all rejected by a simple majority in the House of Representatives.

On the other hand, under the Reorganization Act of 1949, which required a constitutional majority to reject, 41 plans were presented, 29 became effective, 11 were rejected, and one was superseded by law.

Mr. BROWNSON. Mr. Chairman, will the gentleman yield briefly at this point?

Mr. HOLIFIELD. I yield.

Mr. BROWNSON. I think the record should show that that was the Democratic Congress in 1932 which defeated those reorganization plans.

Mr. HOLIFIELD. That is true; that is true, it was a Democratic Congress, but I point out that the method used is the thing that is important, in my opinion.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I am very glad to yield to my chairman.

Mr. HOFFMAN of Michigan. Does the gentleman mean by that last statement to say that we must have a law in order to make the Democrats behave and go along with what is good for the country?

Mr. HOLIFIELD. My chairman may put any construction he wishes to on my remark; that is his privilege.

Mr. HOFFMAN of Michigan. I was asking you. I was asking you.

Mr. HOLIFIELD. On the other hand, under the Reorganization Act of 1949, which required a constitutional majority, as I said before, 41 plans were presented and 29 became effective.

The proponents of this weakening amendment may tell you that President Eisenhower will send to the Congress only plans which the Congress will be glad to approve. May I suggest that this flies in the face of experience and this condition has never existed under any former President.

The present honeymoon between President Eisenhower and the Congress may be of short or long duration, but that the honeymoon will end is a certainty

as proven by the records of past honeymoons.

On January 29, 1953, beginning on page A343 of the CONGRESSIONAL RECORD, I placed in the Appendix of the RECORD a chart showing the 21 recorded votes on reorganization plans sent to Congress under the Reorganization Act of 1949.

As you may remember, these plans were sent to the Congress in line with the Hoover Commission recommendations. A study of that chart reveals an amazing and possibly significant record of the attitude of the Republican Party toward reorganization. It points out that in 17 cases out of the 21, a majority of the Republicans voting voted against reorganization. This causes the thoughtful to ask "Is the Republican Party really in favor of reorganization of the executive departments?"

The record seems to indicate otherwise in the compilation of votes during the years 1949 to 1952, inclusive.

Their unanimous passage of the Hoffman amendment which weakens the chance of reorganization plans being accepted by the Congress, is consistent with their past record of antagonism to reorganization.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield for a suggestion?

Mr. HOLIFIELD. I yield.

Mr. HOFFMAN of Michigan. In 1945, 168 Republicans voted for this same amendment.

Mr. HOLIFIELD. That is true. The Republicans voted for the simple majority amendment, and that proves my point, that they want a simple majority amendment in order to be able to defeat reorganization plans because we all admit under the simple majority plan, it is easier to defeat a plan than under the constitutional majority system.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. MEADER. I wonder if the gentleman will also recall that 2 years ago when the Emergency Reorganization Act was before us, the simple majority was adopted by this House under Democratic control by a vote of 153 to 61.

Mr. HOLIFIELD. I remember it very well. I remember that the gentleman who addressed me presented the amendment, and he specifically stated that it applied only to emergency reorganization plans and did not apply to permanent reorganization plans, and to follow up the gentleman's comment, I will point out that after his amendment was adopted, in the Committee of the Whole House, the bill was defeated later in the House because of that amendment.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the distinguished gentleman.

Mr. JUDD. Does the gentleman think that any plan sent down by any President, that accomplishes real efficiency and economy, will be rejected by a simple majority of this House?

Mr. HOLIFIELD. I can only go by the record. I know that the pressure on the Members of Congress from different bureaus and agencies and their friends back home is tremendous. I know that over a period of the last 30 years it has

been impossible for the Congress to enact any reorganization unless they had the benefit of a special arrangement as contemplated in the plan.

Mr. JUDD. Does the gentleman know of any reorganization plan that was turned down by the elected representatives of the people in Congress, that should have gone into effect, as you look back over it today?

Mr. HOLIFIELD. I think I can remember several. I can go back over the record.

Mr. JUDD. I do not think any plan ought to go into effect if a majority of either House of the Congress disapproves. Nothing else becomes law unless it is approved by both branches of the Congress. Why should a reorganization plan?

Mr. HOLIFIELD. I am not going to quarrel with the gentleman in his position on a constitutional question. I recognize he has a right to his opinion on that question. However, I disagree with him.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. DAWSON of Illinois. Mr. Chairman, I yield the gentleman five additional minutes.

Mr. HOLIFIELD. If you take the stand that reorganization is unconstitutional, I think you are in a consistent position to vote for a simple majority amendment, because it weakens the ability to reorganize. You are also consistent if you vote against the Reorganization Act. I respect you for taking that position but I do not agree with you.

Mr. JUDD. I have never voted against a Reorganization Act. I have not been against reorganization. I am in favor of the delegation to the President of the authority to prepare plans. He is in a better position than we to prepare plans and he has got to take the lead, but I cannot abdicate my responsibilities under the Constitution to have the final say on each plan. It is not because I do not want reorganization.

Mr. HOLIFIELD. I accept the gentleman's statement of his position, but I will ask him to obtain his own time to explain his position more fully.

Mr. JUDD. I simply wanted to get that position clear in the Record.

Mr. HOLIFIELD. We members of the Democratic Party, who have proven over the years by our actions that we do desire reorganization, are ready and willing to give to President Eisenhower the same powers of reorganization that we gave to President Truman. But, in view of the history of the bill now before us and the attitude of the Republican leadership toward reorganization, we must pause and consider the situation.

That there has been confusion both at the White House and on Capitol Hill no one can deny. First we have Mr. Dodge, director of the budget, asking for a simple extension of the Reorganization Act of 1949 without amendment. Then we have the action of the two Republican controlled committees of Congress rejecting Mr. Dodge's request and drastically curtailing the power of the President to reorganize. Following an outcry in the press at the amazing action, the President's press secretary issues a very confusing and unclear statement in

which he somehow conveys the impression that President Eisenhower had been consulted and had agreed to the proposal that his hands be tied in this matter.

Two days later, we have another press report apparently quoting the Republican policy leader in the other body in which he changes the signals again and states that they are perfectly willing to give President Eisenhower a simple extension of the act as originally requested by Mr. Dodge.

Then, yesterday, in his state of the Union message, President Eisenhower says as follows:

To achieve the greater efficiency and economy which the committee analyses show to be possible, I ask the Congress to extend the present Government Reorganization Act for a period of 18 months or 2 years beyond its expiration date of April 1, 1953.

In view of all of these suggestions or opinions and switches of signals and confusion on the part of the Republican leadership, I want to ask this question:

Can it be that the responsibilities of leadership are more difficult than was foreseen during the November campaign? Can it be that there is a division of opinion in the Republican Party as to the reorganization of the executive departments? Can it be that there is a desire to control in fewer hands on Capitol Hill the destiny of legislation suggested by President Eisenhower and his businessmen-Cabinet?

I confess that I am somewhat confused by the record which has been made by the new majority party on this first legislative matter. As a believer in executive reorganization, I personally would like to see President Eisenhower have the same trust and confidence of the Congress as was evidenced toward Mr. Truman. In my own mind, I had planned to vote to strike out the Hoffman amendment, thereby assuring the President the same authority which we gave Mr. Truman.

Under the confusing circumstances created by the administration and the majority, however, I am confronted with a dilemma.

If President Eisenhower really wants the power to reorganize, as his representative Mr. Dodge requested, and as contained in his speech yesterday, I am anxious to give it to him. But if President Eisenhower does not realize the important difference between a simple majority and a constitutional majority approving reorganization plans, and is willing, as Mr. Haggerty's statements seem to indicate, to accept the simple majority provision which spells disaster for reorganization, then I must consider carefully how I shall vote on this matter.

As the debate unfolds, we on the Democratic side trust that we will have a clarification of leadership: That those in charge of this bill on the Republican side will give to the Democrats a clear cut expression of their attitude toward effective reorganization. We Democrats can assure you Republicans that we are in favor of eliminating waste and duplication in government. We are in favor of streamlining our departments to make them more efficient. We have proven this by our record of accomplishment in the field of reorganization and we would like to cooperate with our new President

in completing this work of reorganization, so much of which was accomplished during the Democratic administration.

As heretofore stated, over 65 percent of the Hoover Commission recommendations were effected under the Democratic administration. As a member of this committee who has studied for some years this matter, I challenge the majority members of the committee and the majority Members of the Congress to effect in the next 2 years the balance of these recommendations and put them into operation. Now that the responsibility for effecting these recommendations is in your hands let us see what you will do with the responsibility of effecting the balance of the Hoover Commission recommendations, and I assure you that you will have a great deal of support from the Democratic side on plans to reorganize which are proven to be effective and efficient. We, of course, always reserve the privilege of opposing plans which, in our opinion, are not based on merit.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield 5 minutes to the gentlewoman from Illinois [Mrs. CHURCH].

Mrs. CHURCH. Mr. Chairman, I had hoped to speak at some time during this debate in favor of H. R. 1979 and particularly in favor of striking out the committee amendment, since there has been no time during my experience on the committee or as a Member of the House that I have not taken the following viewpoint: First, that reorganization is desperately necessary; and, second, that if we give the Executive the power to reorganize it is neither wise nor necessary to curb that power. May I say incidentally that I think any question of constitutionality lies in whether the Congress has a right to bestow the power rather than in the amount that we bestow. I personally favor the extension; and am against the committee amendment requiring a simple majority rather than a constitutional majority for veto.

I did not mean to bring up what happened in executive session of the Committee on Government Operations. I rather think that executive sessions should remain executive, however much has been reported by others of action taken. However, the former chairman of the committee has today kindly referred to my vote when this bill was under consideration, and undertaken to interpret to the committee by reasons for voting "Present." I am sure that he meant well, but he misinterpreted my reason for so voting. The fact is that, believing as I do in the necessity for reorganization, I could not bring myself to vote to curb the power of the President by not requiring a constitutional majority; nor could I bring myself to offer a rebuff to the President by voting "No" on what had been reported to us as his request. I voted "Present" rather than "No" because I really looked upon that request for a simple majority as did the other Republican members of the committee, as the first request I had had from President Eisenhower; and my decision to vote "No" was not because I would not desert my fellow Republicans—I am afraid that I would do so anytime in the interest of my convictions—but because, I repeat, I could not

quite bear to refuse the first request that had come from the President.

Returning to the more important subject, the bill itself, I favor the right of rejection only by a constitutional majority. But I particularly welcome this opportunity to follow my former subcommittee chairman of the Committee on Executive and Legislative Reorganization, who just shed such crocodile tears over the Republican Party. I am sure that he will soon realize that his interest and his sympathy should be for his own party.

In the remaining minutes at my disposal, I would most respectfully urge my former chairman of the Subcommittee on Executive and Legislative Reorganization, on which I had the privilege of serving for 2 years, to consider and regret not only the deplorable record of his own party as regards reorganization in the Eighty-second Congress. As has been said, Republicans, as well as Democrats in that Congress, offered identical bills calling for enactment of the 19 remaining Hoover provisions. I had the privilege myself of introducing H. R. 3406, to create a commission to investigate the administration of our overseas spending. I do not believe that there is even one Democrat who would not think that such an investigation would produce desirable results. That bill, nevertheless, never even came out of the Democratic-controlled subcommittee. As regards the other Hoover Commission proposals, before we adjourned in October 1951 I personally wrote to the chairman of the committee, then known as the Committee on Expenditures in the Executive Departments, my good colleague from Chicago, reminding him that in our section of the country there was great interest in enactment of the Hoover Commission plans, and begging him as gently, as politely but as strongly as I could, to look over the plans which he had held in committee during the 9 months that he had been in control, to see if perhaps there were not at least 1 or 2 of the 19 proposals that he thought sufficiently meritorious to bring up for committee consideration. That letter still remains the only letter that I have sent to a Congressman which is as yet unanswered, nor was action taken.

In addition to that, to me it was travesty as well as tragedy for the Democratic-controlled Subcommittee on Executive and Legislative Reorganization, and for the whole Committee on Expenditures in the Executive Departments, in the Eighty-second Congress finally to hold hearing on these reorganization bills last June when there was not a chance in the world for enactment and when the only object was for the Democrats to be able to say when they went home that these bills had been considered.

For the same Democrats now to come, claiming a greater interest in reorganization and shedding, as I said, crocodile tears over the Republican Party, to me expresses the paucity of their honesty and probably also their regret that they can no longer block the very necessary reorganization of executive departments. I think that if anything healthy

has come out of this whole discussion, it is the fact that at long last there is a President in the White House who does not want dictatorial powers, but who has freely said that he will take what power the Congress gives him. As far as I am concerned, I want to give him more power than he has asked for. I am sure that power will be wisely used.

There has been aroused strong public opinion demanding reorganization and full extension of reorganizing power. The American people are demanding not only integrity but efficiency and economy. The same American people recognized last November that under the Democratic Party they could not obtain it; they turned over the leadership to the Republicans; and I assure my former subcommittee chairman, the Republican Party, in assuming that responsibility, needs no sympathy. The Republican Party feels no confusion. We recognize the mandate that was given us and have a magnificent leader to help us carry out that mandate. No amount of political sophistry can delude the American people into believing that the Republicans are not for reorganization. The record of the Republican members of the Committee on Government Operations in subcommittee and in the full committee for years—and in the House—has proven their stand. Let me repeat to the gentleman from California [Mr. HOLIFIELD]: shed no more tears for us. We need no sympathy. We are on our way.

Mr. DAWSON of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Florida [Mr. LANTAFF].

Mr. LANTAFF. Mr. Chairman, notwithstanding what the distinguished majority leader said with reference to his thanking the Democratic Members for going along with him, I would like to thank the distinguished majority leader for going along with the minority members of the Government Operations Committee in opposing the adoption of the so-called Hoffman amendment. All we have to do when we analyze the issue before us today is to turn to the comments on the Hoffman amendment recently submitted to the committee and to the minority leader of our committee by the Citizens Committee for Adoption of the Hoover Report. The obvious purpose of this reorganization bill is to enable this Congress to carry out some of the recommendations of the Hoover Commission and those presented to us for streamlining Government operations by our new President. Here is the comment of the Citizens Committee for the Adoption of the Hoover Commission Report on the Hoffman amendment which we will have before us shortly to vote on:

H. R. 1979, as approved by the House Committee on Government Operations, contains an amendment whereby an ordinary majority of either House may disapprove a Presidential reorganization plan. If the Reorganization Act of 1949 fell short of the Hoover Commission's expectations, then surely this bill as amended represents a step backward from the best principles of reorganization at the very time when the Nation expects both the Congress and the administration to step forward.

That sums up the issue in a nutshell. If you want to take a step backward at a

time when the people of this country have just put into the White House a man who has pledged himself to reorganize the executive branch of this Government in the hopes of achieving further economies, then you will vote for the Hoffman amendment. If you want to go forward in the hope of adopting the balance of the Hoover Commission recommendations and in support of our new President in his effort to achieve efficiency and economy, then you should vote against the Hoffman amendment and give President Eisenhower the same power that we extended to President Truman.

Let me call your attention to one further point. Before this committee there was not one single bit of testimony in favor of the amendment offered by the gentleman from Michigan [Mr. HOFFMAN] and adopted by the majority members of this committee. Former President Truman, former President Hoover, the Citizens Committee for the Adoption of the Hoover Commission Report, the new Director of the Budget, Mr. Dodge, and the United States Chamber of Commerce have all urged this House not to adopt the amendment offered by the gentleman from Michigan and approved by the Republican members of this committee. So rather than our joining with you, as expressed by the distinguished majority leader, I urge the Members of this House to join with the minority members of this committee, to join with the citizens committee for the adoption of the Hoover Commission Report, to join with Mr. Dodge, Director of the Budget, to join with the President of the United States, Dwight D. Eisenhower, to join with two past Presidents, to join with the United States Chamber of Commerce in passage of this bill without amendment extending the power to reorganize the executive branch requested yesterday by President Eisenhower.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana [Mrs. HARDEN].

Mrs. HARDEN. Mr. Chairman, as far as I am concerned, I am happy to give President Eisenhower the best possible law under which to reorganize the executive branch of our Government. The committee action apparently resulted from a misunderstanding of the President's wishes.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield 4 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. For the past 20 years we have had nothing but confusion here. I am sure it was not the Republicans who were confused. I am sure the country voted last November for the Republicans not because of the confusion on our side but because of the confusion everywhere created by the New Deal.

This is my thirteenth year as a member of the Committee on Government Operations. It has been perfectly amazing how little has happened in that committee when the Democrats were in control. Most of the time it was the burying ground of every investigation. Every legitimate investigation that was brought before that committee was buried in committee. The only time the committee was really active was in the Eightieth

Congress, when real Government reorganization became effective. Thus far in this Republican Congress we have shown some real activity.

As for the statement that the Republican members of this committee have a desire to embarrass President Eisenhower, of course such a charge is absurd. Certain newspaper editorials have been referred to. They say that some of the Taft people, commenting about the gentleman from Ohio [Mr. BROWN], coming from Taft territory, and some of the rest of us as having been original supporters of ROBERT TAFT, were trying to embarrass the President. Is not that an absurd charge, because the people coming from that part of the country where they were strongest for TAFT voted the largest majorities for President Eisenhower. Ohio went for Eisenhower by over a half million votes. The big city counties in all this Taft territory were carried with substantial majorities by President Eisenhower.

We, of course, are supporting Eisenhower. We loved him yesterday when he appeared before us and made the fine statement he did. We appreciate his sincerity. We in this committee have differences. We have our own ideas. We are not abdicating our opinions, because we were elected by our constituents to represent them and to do our own thinking. We were not elected as rubber stamps.

We propose to give the administration the kind of support the country expects us to provide the new President. He is a sincere man. He is a good man. This Republican majority will do a real job of delivering on our campaign pledges made last fall.

Mr. DAWSON of Illinois. Mr. Chairman, I yield such time as he may desire to the gentleman from Missouri [Mr. KARSTEN].

Mr. KARSTEN of Missouri. Mr. Chairman, those of us who are interested in reorganization are anxious to see a bill passed which will enable the President to carry out an effective program. It is our desire to try to cooperate, rather than to obstruct, but I feel I must bring to the attention of the House the serious weakness in the legislation which is now before us. Over the last 20 years we have developed a system for governmental reorganization under which great accomplishments have been made. This system is the reverse of the usual procedure in the passage of bills and resolutions. Simply stated, the system has enabled the President to recommend plans to the Congress which have become effective unless either House rejected them by a constitutional majority.

The new administration requested an extension of the law under which we have been operating. Such an extension amounts to nothing more than changing the date in the present act to 1955, and the bill as originally presented by the distinguished gentleman from Ohio [Mr. BROWN] provides for that. However, during the hearings an amendment was offered by the distinguished chairman of the committee which would repeal the constitutional majority provisions of the law and would provide that any plan could be rejected by a simple majority of either House. Such an amendment

appears to be only minor, but when this is translated into actual practice it means theoretically that 110 Members of the House would be sufficient to defeat a reorganization plan, or 25 Members of the other body could effectively block any program.

During the committee hearings it was disclosed that the Director of the Bureau of the Budget preferred an extension of the law without weakening amendments, and his position was supported by not only the Citizens Committee for the Hoover Report but also former President Hoover and former President Truman.

There was practically no debate on the merits of the Hoffman amendment and the majority report is silent on this point. The report simply states that the amendment was offered and adopted, which perhaps is not the whole story, but that is what happened in the committee.

Perhaps we do not know the real reasons for the amendment, but I am glad a member of the minority did not sponsor it, for that would have been classified as legislative sabotage. Instead, the minority is trying to cooperate in order to give the President the authority he will need if he is going to crusade in the field of reorganization.

Mr. DAWSON of Illinois. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. FINE].

Mr. FINE. Mr. Chairman, I wanted first to take this opportunity to remind my friend, the gentleman from Ohio [Mr. BENDER] that the people did not give the Republican Party its full support, but actually elected President Eisenhower as an individual. And remember this, too, that the President of the United States, President Truman, built up President Eisenhower by making him the great general that he became, and made it possible for him to come before the American people as a great hero. You can look at the record and see just as well as I can that every time a President is elected overwhelmingly, he carries with him an overwhelming majority of his party to the Congress. But, this time if you look at the number of Republicans, you find that there are approximately 221, and we have approximately 212 Democrats. Two have died since so that it would have been 221 to 214. I think that that does not show that the American people have supported the Republican Party. Does the gentleman from Michigan [Mr. HOFFMAN] think so?

Mr. HOFFMAN of Michigan. I was not listening very carefully to the gentleman. I was so intent on the question I want to ask him, or rather in order to correct the gentleman. In my own district, the general did get more votes than I did, but in the adjoining district of my colleague, the gentleman from Grand Rapids [Mr. FORD], he led the President there by something like 8,000 votes, and way up in the northern end of the State, my distinguished colleague [Mr. BENNETT] carried every county in his district, while the candidate for President lost at least one, and I think two counties and fell way below.

Mr. FINE. Of course, I do not know what happened out in those territories that you are referring to, but I will tell you this. Back in New York City, which is predominantly a Democratic city, they gave the President of the United States Eisenhower a very big vote, and at the same time they came back and voted for Congressmen on the Democratic ticket. So we found out that what they were doing was voting for Eisenhower.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FINE. I always yield to the gentleman.

Mr. HOFFMAN of Michigan. Do you mean that you Democrats in New York rode in on Ike's coattails?

Mr. FINE. Mr. HOFFMAN, even your agile mind should not have come to that conclusion because you know very well that my name appeared on the Democratic line and Mr. Eisenhower's on the Republican line, and what I am telling you now is that the people who wanted to vote for Eisenhower voted for him and not the Republican Party, and then they came back and voted for the Democrats.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. FINE. I yield to the gentleman.

Mr. JENSEN. Since this matter has risen as to who is responsible for this Congress being pretty evenly divided, I would like to put in my nickel's worth.

Mr. FINE. If I may interrupt the gentleman, I merely want to point this out to the gentleman. You see, I have my own thoughts on this subject.

Mr. JENSEN. And so have I.

Mr. FINE. Of course, so does the gentleman. I have a pretty deep conviction that it was not what you fellows did in Congress the last 2 years that made the difference, but perhaps one or two statements which President Eisenhower made during the campaign which might have influenced a lot of the people. Just for instance, this price control that he was going to continue; and yesterday he made the statement that he is now going to do away with it—or rent control—those things can make a lot of difference—or even Korea—can make a lot of difference to women and housewives. Will you agree to that?

Mr. JENSEN. We will grant that—all right. But the American people discovered also that there had been a great deal of misinformation about the Eightieth Congress through the press and by the then President of the United States. There was no particular fight on Congress as a Congress. In fact, the people were saying, "Thank God for Congress." They said, "Congress stopped Mr. Truman and the New Deal-Fair Deal from putting in their Socialist program." So there was no fight on Congress as a Congress. In fact, the fight was on Trumanism. I can name possibly 40 or 50 Members of Congress on your side who voted with Mr. Truman every time, most every time, some of them every time, voted for everything he wanted, and the people were not looking into that matter. They said, "Thank God for Congress." So, as I say, there was no fight on Congress. Hence, you fellows who had supported Mr. Truman and the New Deal-Fair Deal program had no particular fight on you by the American

people. The only fight on you was from your opponent, generally speaking. So you slid through, even though you had supported everything Mr. Truman had asked for.

Mr. FINE. Let me tell you this, in all candor: I think that what the American people found out in this campaign is that they had a national hero, Eisenhower, and they wanted to give him an opportunity to run this country. Then when he made several emotional statements which permitted him to influence a lot of the women and housewives, that also made a difference. I think Eisenhower as a candidate overshadowed what we in the Congress did.

Mr. JENSEN. Oh, the people in my part of the United States know what we did.

Mr. FINE. I might say this to you: that if the President of the United States had made the same speech he made yesterday, just prior to election he would still be general of the armies.

Mr. JENSEN. Oh, no.

Mr. FINE. I do not mean from my point of view. I mean from the point of view of you fellows on that side who did not go along with him entirely.

Mr. JENSEN. President Eisenhower yesterday simply reiterated his campaign pledges, and he is a great man and will make a great President, and we are going to support him, but we are going to see to it that the Congress of the United States brings back to the Congress the prerogatives which are ours under the Constitution. That is all we are doing today.

Mr. FINE. I want you to know, and I am speaking for the Democratic Party when I tell you now, that we hope he does well. Whenever he submits a progressive program, we will go along with him, but I am not so sure that all of you fellows on that side will. That is when the country will feel it.

Mr. Chairman, I was pleased to note in this morning's New York Times that the Republican leadership yesterday pledged to President Eisenhower precisely the reorganization authority he wanted. This, of course, overrules action taken the other day by the Republican-controlled House and Senate Committees on Government Operations. For a while it seemed to me that the Republican Party had forgotten its campaign promises to streamline our Government in the interests of economy, and had confirmed statements made by me during the recent campaign that the GOP talked of economy, but that was all—just talk.

Actually, the reorganization bill presents a simple issue—whether or not you believe the President ought to be empowered to reorganize the executive branch of Government. If you feel as I do that the Congress is not geared to do the job as a practical matter, why then you ought to give the President an effective law, to the end that reorganization of the executive department might increase efficiency, reduce expenditures, and result in economy in government.

The President came close to losing the opportunity to make good on his own campaign promises. However, please note that the Democrats voted unanimously in committee to uphold the Pres-

ident for the best interests of the country. Let us review the record of what has happened to date on this problem. The Eighty-third Congress convened on January 3, 1953. Before the month was out, the very first important bill, H. R. 1979, granting reorganization powers to the President, was considered in the Republican-controlled House and Senate Committees on Government Operations. It was the first important measure which the President considered as must legislation. The President's new Director of the Budget, Joseph M. Dodge, appeared before the committees and voiced the President's and his own unequivocal support of the bill. There were, in addition, the supporting testimony of two former Presidents, Mr. Hoover and Mr. Truman, and letters from the United States Chamber of Commerce and the Citizens Committee for the Hoover Report. The unanimous approval of those who have either had the responsibility for executive reorganization or have made an intensive study of this important problem clearly demonstrates the wisdom of and the need for effective reorganization legislation.

In urging the House committee to extend reorganization authority, Mr. Dodge testified that President Eisenhower wanted the same powers President Truman enjoyed because he considered it "a vital and necessary measure for the promotion of improved organization and businesslike management of the executive branch of the Government." The President apparently wants to complete the reorganization job. He appointed an able three member advisory committee, headed by Nelson Rockefeller, to aid him in formulating a number of plans.

With this array of support there should have been no doubt of the final action to be taken by the Members of the Republican controlled committees for the first Republican President in 20 years. The President had the right to expect at least the same treatment which a Democratic Congress accorded President Truman during the last 3 years. Unless the President is given adequate basic reorganization authority and support, the Republican Party undoubtedly will fail in its campaign promises.

The President did not get what he wanted last week. The two Republican controlled committees voted out a bill with limitations on the President which would result, for all practical purposes, in the defeat of most of his reorganization plans. The vote to deprive the President of full powers of reorganization came from the Republicans. House Democrats voted solidly with the President. This action has caused quite a stir in governmental circles because the President's Budget Director had vigorously opposed any change and had urged that nothing be done to make it more difficult for President Eisenhower to reorganize effectively the executive branch of the Government. Now the President himself, in his first State of the Union message, has requested full reorganization powers.

Effective reorganization can save billions of dollars annually. The estimated saving of former President Truman's reorganization plans would come to ap-

proximately four billion dollars annually. Many billions more are in sight—an economy undoubtedly worth striving for.

I am happy that the Democrats in Congress kept the Republicans from going off the track before their administration was a month old. I am sure that the Democrats will continue to support President Eisenhower on any progressive programs.

Mr. DAWSON of Illinois. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman from Illinois has 20 minutes remaining.

Mr. HOFFMAN of Illinois. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MEADER].

Mr. MEADER. Mr. Chairman, I intend to vote to extend for 2 years the President's power to present reorganization plans. I also intend to vote for the committee amendment which will permit either House of the Congress to reject such plans by a majority of those present voting, which is the usual method of taking legislative action.

In this position I am supporting President Eisenhower in carrying out the program he has promised the American people.

In public life we must constantly confront positions fallaciously presented. The situation we face today is an interesting study in the technique of clever propaganda calculated to make black seem white.

Candidate Eisenhower, in the campaign, promised a change. He promised to respect the Congress and its prerogatives. He affirmed the constitutional separation of governmental powers and disavowed any intention to invade the legislative field. He condemned the past usurpation of policy-making power by New Deal and Fair Deal Presidents. He asserted his faith in democratic processes, his confidence in the individuals elected by the people to their Congress, and his belief that a popular Executive and the people's representatives, in an atmosphere of mutual respect, could work together for the welfare of our country.

President Eisenhower, in his only public statement on the subject, has reaffirmed his campaign statements to the electorate. He has asked for power to reorganize the executive branch of the Government: to clean out the mess, to establish common sense and business principles, to weed out waste and cancerous growths in the executive bureaucracy. But he has also reasserted his belief that this job can be done in cooperation with the Congress of the United States. I believe he is right.

There are those, many of whom pose as liberals, who hold that the elected Members of the Congress are incompetent to pass judgment on national affairs. Some, including a former Member, have called us squirrelheads. They say we are irresponsible, subject to pressures, and indifferent to the public good. They say we are not capable of deciding upon national policy. They go further. They say we are not even competent to prevent a program propagated by the bureaucrats, in whom, by

implication, resides all wisdom and devotion to American ideals.

What is this trick?

It is simple. It is so simple as to approach inspired ingenuity.

They argue: Congress gave Truman and Roosevelt power to reorganize which Congress could check only by heroic effort. If you do not give equal power to President Eisenhower, you are rebuffing a great man, a crusader, a popular hero, the only man who has been able to carry the Republicans to victory in two decades.

With this trick the bureaucrats hope to consolidate their gains over supine Congresses. They hope to forestall any trend toward the restoration of that marvelous equilibrium in governmental forces devised by our founding fathers to protect us and our posterity from the blight of tyranny. They hope to continue the gravitation of public power from the Congress to the Executive, and away from the people.

Shall we be deceived? I fear we shall.

Yet President Eisenhower was not deceived. He asserted, in effect, that if he presented a plan which could not muster the support of a majority of the Members of either House of the Congress present and voting, that plan should not take effect.

Let us support President Eisenhower in his statesmanlike regard for the duties and responsibilities of a coordinate branch of the Government. Let us agree with him that we are responsible public officials, whose familiarity with national affairs and whose judgment are entitled to weight.

Let us not abjectly admit with our detractors that we do not possess the capacity to determine national policy, which our friends who sent us here believed we had.

Now let us take this proposition apart. Let us use our minds, not our emotions. Let us assume we are reasonable men and forget the tricks, the generalities, the headlines and the possible political repercussions of our decision.

The subject matter is the set-up in the departments and agencies, boards and commissions of the Federal Government. All of these exist only because of statutes passed by the Congress. Only the President himself owes his origin to the Constitution.

These executive agencies were created by the legislative, policy-making branch of our Government to meet a public need, to carry out a public purpose. Their authority and the limits thereon were prescribed by statute. Except for the Reorganization Act, their reconstitution can occur only by congressional enactment.

With the advent of the New Deal in 1932 Congress granted a popular President power to reorganize the executive branch of the Government by submitting plans. But the Congress retained the right to veto those plans. Such reorganizations as did not infringe upon statutory structure could always be made. They can now. Agriculture Secretary Benson has already effected such a reorganization of the Department of Agriculture.

In 1932 our national annual budget was \$3,925,000,000. Employees in the executive branch totaled 583,196. Today, after 20 years of elimination of waste and duplication through well-heralded Presidential reorganizations, we have an annual budget of \$78,587,000,000 and 2,500,000 employees.

Let us not kid ourselves. The President has no more hours in his day than you and I have. These plans are not originated by him. They are not even originated by the men he appointed to the Cabinet. They originate in the second, the fifth, the twelfth, or the lower echelons of the huge bureaucracy the Democratic Congresses have built up downtown. Neither we nor the public are unaware of the empire-building proclivities of this bureaucratic monster we have permitted to grow to astonishing proportions.

The proponents of the constitutional majority argue: You gave Truman this power. Why deny it to President Eisenhower?

Who gave Truman such power?

Certainly I did not.

I have consistently advocated with all the force at my command that the Congress recapture the legislative authority the strong Executives of the New Deal have usurped from weak New Deal Congresses in the past two decades.

Did Republicans give Truman such power?

A few of them did. A few Republican Members of Congress, as we all know, vote consistently with the New Deal Democrats.

But the vast majority of Republicans resisted and opposed this transfer of legislative authority. In this stand they were joined by many Democrats who were unwilling to press their party loyalty to the point of being mere rubber stamps.

Even the Democratic Eighty-second Congress went on record clearly and officially as being overwhelmingly opposed to the principle of the constitutional majority for rejecting reorganization plans.

March 13, 1951, this House had before it the emergency reorganization bill of 1951. That was the quickie reorganization bill. That day I proposed an amendment, the purpose of which was to provide that emergency reorganization plans could be rejected by either House by a simple majority rather than a constitutional majority. The amendment was debated heatedly and extensively. On a teller vote, the Committee of the Whole adopted the simple majority rule by 158 to 61, a vote of better than 2½ to 1—CONGRESSIONAL RECORD, volume 97, part 2, pages 2329-2334.

Now it is suggested that a Republican Congress should do exactly what a Democratic Congress expressly and overwhelmingly refused to do less than 2 years ago.

Do you see how fallacious the argument of the New Dealers is?

I believe the American people are opposed to the further surrender of legislative power to the Executive. I believe they made that opinion crystal clear last November 4.

President Eisenhower in a speech at St. Louis, Mo., September 20, 1952, said:

This same unity requires a new era of cooperation between the Executive and Congress. The Constitution of the United States does not place the President above Congress; nor does it put Congress above the President. In the business of Government, Congress and the President are coequal partners. We will make it a working partnership.

Again President Eisenhower at Des Moines, Iowa, on September 18, 1952, said:

I will, with the cooperation of Congress, strive to turn this tide. I shall seek and need the cooperation of Congress—always the cooperation of Congress. The next administration will not be a one-man show.

To me, the question here involved is not one of personalities, but one of fundamental principle.

If you put the question: "Would you trust Eisenhower further than you would Truman?" My answer would of course be an unqualified "Yes."

But if you ask me: "Will you pass over to the Executive the power and the responsibility the Constitution, which you swore to uphold, vests in you and your colleagues?" My answer has been and must be an unqualified "No." That answer must be the same even though the present occupant of the Presidency is of my own party and a leader in whom I have supreme confidence.

It may seem to some that I have been arguing against granting the President any reorganizing power at all. Let me make my position on that principle clear beyond any question.

It is true that presidential reorganization with the congressional veto is legislation in reverse. However, the subject matter is at least theoretically the management of the executive branch of the Government, and the executive power of the Government is vested by the Constitution in the President. Of all of the fields of national policy the area of executive management is one peculiarly appropriate for the exercise of Presidential discretion.

The difficulty is that it seems to be impossible to separate and distinguish matters of pure administrative structure and procedures from matters of substantive national policy. If such a separation could be made, it would be appropriate and constitutional, in my opinion, to give the President complete and permanent authority to make administrative realignments. In fact, where statutory safeguards, checks, and limitations are not infringed, the President, without any legislation already possesses reorganizing powers.

Not being able to separate the purely administrative from the purely policy making, it is, in my opinion appropriate, and constitutional, to authorize the President to present reorganization plans, for a limited time and under special circumstances—such as the present change in administration. But this device, which admittedly is a legislative short-cut or makeshift, should be employed only where the Congress retains a real, not an illusory, power to reject plans which, in the judgment of the Congress, are contrary to national policy.

This is why the simple or constitutional majority issue becomes so important. How difficult should it be for Congress to veto reorganization plans? That is the basic issue.

We must all admit that the Congress has failed to keep pace with the rapid growth of the country. It is attempting to deal with 1953 problems and issues with an 1875 legislative machine.

I have consistently urged that the Congress modernize and strengthen itself. I have suggested that this can be done by acquiring sizable, competent, and loyal investigative staffs for its committees—the instrument through which the Congress can train the spotlight and the microscope on areas of national interest. When we have developed fact-finding techniques we will be able to act on knowledge rather than ignorance, on facts and logic rather than emotions and generalities. We will then be able to demonstrate the workability of the processes of self-government in modern complex society. Then, and then only, will we be able to write laws which are clear and specific, delegating no more authority to executive agencies than is necessary to accomplish the public purpose.

Lacking the ability to write the people's will in clear and unambiguous terms, the Congress will presumably continue to legislate by announcing broad objectives and then creating a board or commission, vested with legislative, administrative, and judicial powers, to accomplish them. Since this necessarily entails a delegation of an excess of public power, I hope we will continue to impose standards for its exercise and checks and limitations calculated to prevent abusive and tyrannical exercise of that power.

For two decades in a period of great national stress, the Congress has been pouring national power into an executive bureaucracy which has swollen to monstrous proportions. Yet, Congress has sought to put curbs and checks on that power to keep empire-building bureaucrats from running wild. Such checks have not been completely and universally effective. Nevertheless, they have been the best the Congress could do under the circumstances. And, they have unquestionably prevented abuses of authority. If such checks and restraints are now removed, the result will be the vesting of far greater authority in the executive branch of the Government than the Congress intended to grant. This would unquestionably be a matter of national policy—not mere administrative realignment.

The Congress must retain a practical and workable means of preventing such Executive policymaking.

It is always helpful in understanding and appreciating the force of general principles to talk about specific cases.

A good example of policy-making through reorganization plans is Reorganization Plan No. 1 of 1951, abolishing the board of directors of the Reconstruction Finance Corporation and vesting the broad lending authority of that corporation in a single Administrator. Congress had sought to prevent partisanship, sectionalism, and graft in the exercise of this vast power over public

funds by providing that not more than three of the five directors of RFC should be of the same political party, that not more than one director should come from any Federal reserve district, and that the directors' terms were limited to 2 years. The reorganization, by vesting powers of the board of directors in a single Administrator with no fixed term, removed these checks against abuse of authority. Two hundred Representatives thought the plan was bad and voted against it, while only 197 voted for it. Yet the plan became effective for lack of the constitutional majority of 218.

I believe the press, the public, and even Members of the Congress do not fully appreciate the difficulty in obtaining a constitutional majority to override a Presidential reorganization plan.

Half of the authorized membership sounds relatively innocuous. It does not seem to approach in difficulty the two-thirds of those present and voting necessary to override a Presidential veto of legislation.

A brief review of the roll-call votes of the last Congress, however, will quickly convince the dispassionate observer that the requirement of a constitutional majority is a formidable obstacle to the expression of congressional will.

I requested the Congressional Quarterly to make an analysis of the roll-call votes in the two sessions of the Eighty-second Congress. That analysis is set forth in the tables which I include at this point in my remarks:

ROLL CALLS, EIGHTY-SECOND CONGRESS

FIRST SESSION (109)

Number voting on the following roll calls:

1: 423, Wednesday	45: 379, Wednesday
2: 426, Wednesday	46: 388, Thursday
3: 423, Wednesday	47: 387, Thursday
4: 365, Wednesday	48: 390, Thursday
5: 377, Tuesday	49: 382, Friday
6: 390, Wednesday	50: 391, Friday
7: 393, Wednesday	51: 368, Friday
8: 386, Wednesday	52: 268, Saturday
9: 396, Tuesday	53: 393, Thursday
10: 398, Wednesday	54: 413, Friday
11: 390, Wednesday	55: 415, Friday
12: 274, Wednesday	56: 416, Friday
13: 394, Tuesday	57: 416, Friday
14: 409, Tuesday	58: 417, Friday
15: 417, Friday	59: 417, Friday
16: 416, Friday	60: 415, Friday
17: 353, Wednesday	61: 415, Friday
18: 397, Wednesday	62: 414, Friday
19: 395, Wednesday	63: 416, Friday
20: 399, Wednesday	64: 415, Friday
21: 392, Wednesday	65: 414, Friday
22: 397, Wednesday	66: 416, Friday
23: 397, Wednesday	67: 415, Friday
24: 391, Wednesday	68: 374, Wednesday
25: 393, Wednesday	69: 387, Thursday
26: 378, Thursday	70: 380, Friday
27: 294, Friday	71: 363, Friday
28: 289, Friday	72: 374, Monday
29: 375, Wednesday	73: 374, Monday
30: 380, Thursday	74: 359, Tuesday
31: 368, Thursday	75: 350, Thursday
32: 387, Thursday	76: 358, Tuesday
33: 233, Monday	77: 364, Tuesday
34: 234, Monday	78: 375, Wednesday
35: 338, Tuesday	79: 372, Wednesday
36: 340, Wednesday	80: 372, Wednesday
37: 380, Thursday	81: 374, Wednesday
38: 335, Wednesday	82: 363, Monday
39: 236, Friday	83: 360, Monday
40: 284, Monday	84: 363, Monday
41: 391, Friday	85: 361, Monday
42: 393, Friday	86: 251, Friday
43: 291, Monday	87: 291, Monday
44: 357, Tuesday	88: 328, Tuesday

89: 323, Tuesday	100: 321, Thursday
90: 342, Wednesday	101: 312, Monday
91: 345, Thursday	102: 361, Tuesday
92: 337, Thursday	103: 328, Thursday
93: 333, Friday	104: 313, Thursday
94: 299, Monday	105: 346, Thursday
95: 326, Tuesday	106: 344, Thursday
96: 325, Tuesday	107: 345, Thursday
97: 310, Thursday	108: 340, Thursday
98: 320, Thursday	109: 276, Saturday
99: 326, Thursday	

SECOND SESSION (72)

110: 359, Tuesday	146: 284, Friday
111: 316, Friday	147: 292, Monday
112: 342, Tuesday	148: 358, Friday
113: 334, Wednesday	149: 357, Friday
114: 332, Wednesday	150: 355, Friday
115: 320, Monday	151: 264, Monday
116: 390, Tuesday	152: 362, Thursday
117: 398, Tuesday	153: 345, Thursday
118: 288, Monday	154: 253, Monday
119: 320, Tuesday	155: 354, Wednesday
120: 321, Tuesday	156: 339, Thursday
121: 319, Tuesday	157: 383, Tuesday
122: 331, Tuesday	158: 392, Thursday
123: 327, Tuesday	159: 396, Thursday
124: 361, Wednesday	160: 394, Thursday
125: 349, Thursday	161: 392, Thursday
126: 360, Friday	162: 395, Thursday
127: 358, Friday	163: 395, Thursday
128: 356, Thursday	164: 396, Thursday
129: 305, Friday	165: 391, Thursday
130: 325, Monday	166: 376, Thursday
131: 322, Monday	167: 340, Saturday
132: 374, Wednesday	168: 336, Saturday
133: 352, Friday	169: 348, Monday
134: 329, Friday	170: 349, Monday
135: 322, Friday	171: 328, Monday
136: 255, Friday	172: 346, Wednesday
137: 334, Wednesday	173: 253, Wednesday
138: 351, Wednesday	174: 348, Thursday
139: 315, Wednesday	175: 347, Thursday
140: 343, Thursday	176: 341, Thursday
141: 343, Wednesday	177: 327, Thursday
142: 336, Thursday	178: 328, Thursday
143: 333, Thursday	179: 318, Friday
144: 335, Thursday	180: 323, Friday
145: 324, Thursday	181: 300, Friday

(Prepared by Congressional Quarterly for Representative MEADER.)

EIGHTY-SECOND CONGRESS—ROLL CALL VOTES ARRANGED ACCORDING TO NUMBER VOTING

1: 426	38: 393	75: 365	112: 344
2: 423	39: 392	76: 364	113: 343
3: 423	40: 392	77: 363	114: 343
4: 417	41: 392	78: 363	115: 342
5: 417	42: 391	79: 363	116: 342
6: 417	43: 391	80: 362	117: 341
7: 416	44: 391	81: 361	118: 340
8: 416	45: 391	82: 361	119: 340
9: 416	46: 390	83: 361	120: 340
10: 416	47: 390	84: 360	121: 339
11: 416	48: 390	85: 360	122: 338
12: 415	49: 390	86: 359	123: 337
13: 415	50: 388	87: 359	124: 336
14: 415	51: 387	88: 358	125: 336
15: 415	52: 387	89: 358	126: 335
16: 415	53: 387	90: 358	127: 335
17: 414	54: 386	91: 357	128: 334
18: 414	55: 383	92: 357	129: 334
19: 413	56: 382	93: 356	130: 333
20: 409	57: 380	94: 355	131: 333
21: 399	58: 380	95: 354	132: 332
22: 398	59: 380	96: 353	133: 331
23: 398	60: 379	97: 353	134: 329
24: 397	61: 378	98: 353	135: 328
25: 397	62: 377	99: 362	136: 328
26: 397	63: 376	100: 351	137: 328
27: 396	64: 375	101: 350	138: 328
28: 396	65: 375	102: 349	139: 327
29: 396	66: 374	103: 349	140: 327
30: 395	67: 374	104: 348	141: 326
31: 395	68: 374	105: 348	142: 326
32: 395	69: 374	106: 347	143: 325
33: 394	70: 374	107: 346	144: 325
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35: 393	72: 372	109: 345	146: 323
36: 393	73: 368	110: 345	147: 323
37: 393	74: 368	111: 345	148: 322

149: 322	158: 313	167: 291	176: 255
150: 321	159: 312	168: 289	177: 255
151: 321	160: 310	169: 288	178: 251
152: 320	161: 305	17: 284	179: 236
153: 320	162: 300	171: 284	180: 234
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156: 318	165: 292	174: 268	
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There were 181 roll calls in the Eighty-second Congress. The highest number of Members ever present in the House of Representatives on those roll calls was 426. The lowest number present was 233. The average was about 357.

There were only 20 roll calls on which more than 400 were present. There were almost 20 roll calls on which less than 300 Members were present. If a reorganization plan came up when there were only 233 Members present in the House of Representatives, although all of the Members opposed the plan except 16 of them, the plan would still go into effect. This requires an almost unanimous vote.

On 42 roll calls, a little less than one-fourth of the total, there were 327 or fewer Representatives present. A constitutional majority on those occasions would have been the equivalent of two-thirds of those present and voting.

Aside from the difficulty of obtaining a constitutional majority there are other features of the present Reorganization Act which are given too little notice.

First, a reorganization plan may not be amended. Clarification or even the elimination of typographical errors is impossible. There is an insurmountable gag rule on reorganization plans. Many of us have tried to see if this phase of reorganization legislation could not be improved. There seems to be no feasible method of permitting amendment in this novel device of legislation in reverse.

Second, committee study of a plan is limited to 10 days. It should not be necessary to point out that this much time does not permit adequate study. Our pitifully deficient committee staffs could not begin to cope with complex and far-reaching plans in this period. There would not be time to sift opinions and consider the ramifications of a plan and give sound advice to committee members. Committee hearings must be short, hasty, and ill-prepared, as must be the committee's report to the House.

Consider the possibility that a far-reaching reorganization of the Department of Defense and related agencies, such as the National Security Council, the National Security Resources Board, and the Central Intelligence Agency, may be presented. Such a plan would be the equivalent of amending the National Security Act of 1947. Does anyone believe that decent and worthwhile study by a committee of such a plan could be completed in 10 days?

Third, although plans are submitted in the name of the President, we all know that as a practical matter they are prepared in the first instance by anonymous authors in the lower echelons of departments and bureaus. The screening processes of the President may or may not purify and improve the programs of bureaucrats not famous for their reticence

in asking for more authority, more employees, more money, and more freedom from congressional control.

Fourth, and most important, the reorganization plan device is the means whereby a ruthless and dictatorial President may, for all practical purposes, siphon off the legislative authority of the Congress. This is the channel through which a totalitarian system could be established. This, the Congress must be alert to prevent.

I cannot agree that you, my colleagues, are pin-heads or squirrel-heads. I cannot agree that the bureaucratic monster which has risen up in the past two decades is the fount of all wisdom and goodness. I do agree that the Congress is weak and inadequate. I emphatically assert that the crying need of our day is the strengthening and the improvement of the Congress. The way to do this is not to detract still further from the powers and responsibilities of the Congress.

Let us give the new President a new broom to sweep away the trash and debris accumulated in 20 years of misrule, but let the Congress at least hold the dustpan.

Let us demonstrate to the people that we know they voted for a change—not just a change in faces—but a change in philosophy of government—a restoration of the constitutional equilibrium of a Government of limited powers.

Let us not imitate supine New Deal Congresses and in our first major act give impetus to the 20-year trend away from self-government.

Let us for once stand courageously fast in the face of fallacious propaganda unfraid of the threats of distorted appeals to public emotion. Let us redeem our oaths and preserve, protect, and defend the integrity of the Congress of which we are a part.

I include as a part of my remarks an editorial from the Jackson (Mich.) Citizen Patriot of January 30, 1953:

REGAINING LOST POWER

Somehow we can't get excited—as have some political bigwigs and analysts—over the action of the House Government Operations Committee in trimming the reorganization powers of President Eisenhower.

Of course, it would have been very convenient for the new administration to have an unbridged extension of the law which requires a veto by a full majority of the House or Senate to kill an administration reorganization measure.

The bill, as revised by Representative HOFFMAN's committee, would permit a congressional veto of a reorganization plan by a simple majority of those present and voting. If finally adopted, this bill will result in the death of some needed reorganization plans. Congressmen who love the smell of pork won't have much trouble in drumming up a simple majority on reorganization plans that interfere with their own little empires.

At the same time the Hoffman amendment is a move to recapture some of the legislative powers that have been delegated to the administration and to a mass of commissions and agencies. The powers of these agencies to make rules and, in effect, write laws, brought on the conditions that caused the people to vote for a change.

The original reorganization bill delegated a great deal of power to the White House. We don't doubt that President Eisenhower would use this power wisely if it were granted to him, but we keep remembering the words of the late Franklin D. Roosevelt.

In the early days of the New Deal, when Congress literally was abdicating in favor of a strong executive branch, F. D. R. frankly stated that the powers he sought might be dangerous in other hands. President Eisenhower's calm acceptance of the Hoffman amendment shows that he does not thirst for legislative powers.

The American system of Government provides for the protection of freedom with a system of checks and balances, with the power to legislate placed exclusively in the hands of Congress. Any time that balance is destroyed the opportunity for restricting freedom grows larger.

The Republican Congress faces a challenge after 20 years of criticism of Democratic methods. It must legislate wisely and well. It cannot meet the challenge unless it recovers some of the powers its predecessors gave away.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield 7 minutes to the gentleman from Missouri [Mr. CURTIS].

Mr. CURTIS of Missouri. Mr. Chairman, my remarks have more importance in view of the statements made by the former chairman of the committee, the gentleman from Illinois [Mr. DAWSON] that the constitutional question is moot because for 20 years Congress after Congress may have acted unconstitutionally. If there is any basis to this request it becomes even more important that this Congress reassert the significance of its aim to defend and support the Constitution.

I do not rise to participate in this debate with any pleasure. The position I am forced to take on this important piece of legislation probably has little support in this body if I am to judge by the consideration given by the Committee on Governmental Operations and the debate which has gone on here in the Committee of the Whole. However, I shall not belabor the point which has been so well and ably expressed by the chairman of the Committee on Governmental Operations, Mr. HOFFMAN, in the report of the committee, accompanying the bill.

I am opposed to the bill, basically; whether it is amended or not amended makes no difference. It is unconstitutional. The Constitution prescribes that the Congress shall legislate and that the President may veto; not that the Executive Branch of Government shall legislate and the Legislative Branch veto. These basic powers cannot be granted away except if the people of this country in their wisdom and in accordance with the methods prescribed by the Constitution for amendment, decided to do so.

My colleagues, we have no power to change the Constitution by simple legislation. Do not misunderstand me. I am well aware, all too aware, of the fact that the Constitution has been disregarded by Congresses which have preceded us. When I speak of power I mean legal power, power granted to us by the Constitution, and we do not have the legal power to grant to the executive branch of Government the power to legislate.

That we have it in our actual power without check from the judicial branch of Government to do many unconstitutional things is a matter of history. Many persons do not understand this. They are of the erroneous belief that the judicial branch of Government stands as a check over the actions of the Congress and the President when these two

branches of Government pass legislation which is contrary to the Constitution. The truth is that the judicial branch of Government only stands as a possible check when the property rights or individual civil rights of citizens have been affected by a certain piece of legislation and the matter of controversy between legal parties is presented to the courts for decision.

Legislation such as this and legislation such as that which the Eighty-second Congress passed in its first session to create an executive commission to write the legislation establishing universal military training have as their only check the oaths of office which we as Congressmen and the Executive as the President take to uphold and support the Constitution.

Only your and my consciences stand between the enactment of unconstitutional legislation of this nature.

There may be some who sincerely believe that this Reorganization Act is constitutional. If so, for the sake of this debate, I believe it is important that they present the reasons behind such a belief. For I know there are many Members who have made up their minds to vote for this legislation because of expediency.

The first argument of expediency is that if the past President was granted the power to write legislation streamlining the executive department then the new President should have this power. This is a forceful argument. I want to grant to the new President all the powers he feels he needs to carry out his ideas of how to meet the momentous problems that confront our beloved country, if those powers are within our power to grant.

The second argument of expediency is that Congress would be under too much pressure to enact legislation which would streamline the executive departments. Specifically it is argued the Congress could never reorganize the Veterans' Administration or the Department of Agriculture under the pressures that would be exerted against it.

Yes; it will be a tough job. In fact, it is a tough job to legislate on any controversial matter. Perhaps, though, it will be a less tough job if the executive branch of the Government would change the policy of its predecessor and crack the whip to prevent its various departments, bureaus, authorities, boards, commands, corporations, divisions, groups, commissions, administrations, and so forth, from lobbying with Federal funds to prevent these reorganizations from coming about. It is not pressure from the people the Congress needs to worry about on these matters but it is the executive agents fighting for their empires with the illegal use of vast sums of Federal money that are our concern. Cracking the whip would mean no more than having the Justice Department prosecute a few executive agents for engaging in this illegal lobbying.

I think this Congress is ready to step up to the job it has to do. I see no reason why this new administration cannot determine what reorganization bills it would like to see passed and present them to the Congress in an orderly manner. There is no reason why the executive branch should not make the original

draft of the proposed legislation. Drawing the original draft is not the art of legislation. It is the consideration from there on where the art lies: the hearing and questioning of interested and informed witnesses, the weighing of word and sentence meanings, the changes and the amendments, the deletions and addenda, under the heat of controversial committee debate and, finally, on the floor of the House, the hammering out of the product by the party in power upon the sturdy anvil of the opposition.

Under the reorganization bill the Congress cannot amend the draft. It cannot really study it. It must accept or reject. It must veto or approve. This is not legislating.

The Speaker stated in his acceptance address to this body that he was anxious to see the Congress regain the authorities it had lost. The President has stated in his speeches that he believed in the separation of powers provided for in the Constitution. These are fine generalities; we are now in the process of considering the details which alone can give them real meaning.

The issue is simple. Either this act is constitutional or it is not. Those who believe it is unconstitutional, as I do, must vote against it.

Mr. DAWSON of Illinois. Mr. Chairman, I yield such time as he may desire to the gentleman from North Carolina [Mr. FOUNTAIN].

Mr. FOUNTAIN. Mr. Chairman, as a member of the Committee on Government Operations, I listened with great interest to the testimony of Mr. Dodge in support of H. R. 1979 and in opposition to the Hoffman amendment which would make possible the disapproval of a presidential reorganization plan by a simple majority of either the House or the Senate, conceivably by as few as 25 Members of the Senate or 110 Members of the House.

I also paid close attention to the arguments of the gentleman from Michigan [Mr. HOFFMAN], the gentleman from Ohio [Mr. BROWN], and others in the committee in support of the Hoffman amendment. I have read Mr. HOFFMAN's views as expressed in the report of the House Committee on Government Operations. As a new Member of Congress, in the short time permitted, I have endeavored to familiarize myself with previous reorganization plans and the contentions of both proponents and opponents of reorganization of the executive department by the President, pursuant to authority delegated by Congress. I am frank to say that I made this study, not as a Democrat, but as a citizen and a Member of Congress interested, as all of us are, in doing that which I think is for the best interest of America. Incidentally, in this fast moving world, and particularly in the field of government, we are seldom certain that what we do is best for all concerned.

I supported H. R. 1979 and opposed the Hoffman amendment in our committee for a number of reasons. While I have no great enthusiasm for this type of legislation wherein Congress delegates its authority and responsibility to others, I do believe that the passage of H. R. 1979

is, contrary to the contention of the gentleman from Michigan [Mr. HOFFMAN] in his views expressed in the committee report, necessary. I do not believe it is an unconstitutional grant of legislative power, and I do believe reorganization of the executive departments can result in more honesty and integrity, and more economy and efficiency in government, especially in the executive departments. I agree with the gentleman from Michigan [Mr. HOFFMAN] that a grant of such legislative power does not insure either. The result depends upon the motives, the determination, the fearlessness, and the devotion to service of the one or ones who initiate the plans and the ones who put them into effect.

As a member of the State Legislature of North Carolina, wherein this question of the constitutionality of the delegation of legislative authority to various administrative agencies has been debated for years, I have long since satisfied myself that if a State legislature, or if Congress is unwilling or is not equipped, because of circumstances beyond the control of either to do a certain job, then when either delegates its authority, that in effect is the passing of legislation, both presently and in advance. These matters bothered me for a long time because of my knowledge of constitutional provisions, as the gentleman from Michigan [Mr. HOFFMAN], the gentleman from Minnesota [Mr. JUDT], and others have already pointed out, placing legislative responsibility upon the legislative branch of government.

I have long since concluded, as I have concluded in this instance, that there are certain administrative functions—especially in view of the growth of government and governmental responsibilities—which no legislative branch can adequately, properly, and efficiently dispose of. There are many instances, I believe, where legislative branches of government have shirked their responsibilities by delegating to administrative agencies the authority to make law and to make a violation of this administrative law a criminal offense.

Then, too, in this particular instance, while we are delegating some of our responsibilities and our power, there is an opportunity to check upon the work of our agents. Under H. R. 1979, either House of Congress, by a majority of its Members, may reject any proposals submitted by the President. I agree that in most instances a simple majority of either House would be the preferable method of passing upon the acts of our agents. However, in recent years, with the advent of one emergency after another and of wars, Government has become so big, and in many ways so cumbersome, that Congress needs, and does have, the help of experience and of experts to assist it in performing its duties. After we pass this legislation by a simple majority, I see no reason why we should not require a constitutional majority of either House to reject or disapprove any reorganization plans submitted. After the President has done his job in preparing plans, pursuant to authority given him by what legally could be a simple majority of both Houses, I doubt the wisdom of permitting ourselves later

on to destroy all of his labors by that same majority in either House. The reasons are obvious.

The President of the United States is elected by a vote of all the people of America, and is primarily obligated or committed to no congressional district or State in the Union. It is a matter of common knowledge that he owes no allegiance to any particular section of the country because he is elected by all of the people. I, therefore, think it is good judgment for Congress to delegate this authority to the President.

As a matter of fact, the President of the United States committed himself to the American people to reorganize and to streamline our Federal Government, particularly the executive branch, in accordance with the principles outlined in the report of the Hoover Commission. As a matter of fact, that was a pledge in the Republican platform; and, personally, in my own campaign for Congress, I committed myself to support such legislation as could result in the elimination of unnecessary and burdensome agencies and departments, in a reduction of the expenses of Government, and in the elimination of such waste and extravagance as is discovered in our governmental operations. The people of my district, and I believe a great majority of the people of America, are now thinking in terms of more economy in Government, greater efficiency, and a reduction in the tax burden as soon as is practicable.

We have a new President who has requested that we delegate to him the necessary authority to continue a job—already begun—in compliance with his commitment to the American people, and I might say a most praiseworthy commitment. In his inaugural address to the joint session of Congress, he very vigorously and unhesitatingly obligated himself to exercise wisely and discreetly the powers contained in H. R. 1979. I believe it would be unwise and impracticable in this particular instance to make the President our agent in the doing of a job and then say to him a bare majority of either House may disapprove the action which he takes pursuant to legislative authority granted, not by a constitutional majority, but by a simple majority as is true in the case of all legislation passed by Congress. Then, too, I believe it might be considered a reflection upon our President to give him less authority along these lines than was given to our former President. Having been elected, he becomes the President of all of the people of America, regardless of their party affiliations. I repeat: I agree with the gentleman from Michigan [Mr. HOFFMAN] that reorganization does not necessarily insure either economy or efficiency, but I believe presidential reorganization, fearlessly, honestly, and intelligently done, will result in substantial financial savings to our people and in greater efficiency of operations. A great job still lies ahead in this field.

While I am a Democrat from head to foot, in every bone, muscle, and nerve of my body, I am not blinded to the fact that mistakes, as well as war and emergencies, and additional responsibilities have resulted in a tremendous increase in the agencies of the executive depart-

ment, many of which are loosely put together and are badly in need of being straightened out or, even in many cases, eliminated. Our people are fed up with so much red tape and so many rules and regulations which somehow seem to have taken from them some of the freedom which they have so long cherished. Congress has not heretofore assumed its full share of the responsibility of reorganizing the executive branch of government. It is obvious that Congress never will. Who then is better equipped? Who has at his beck and call, training, experience, and expert advice? To whom are the people looking primarily for the fulfillment of the innumerable obligations and responsibilities of the executive branch of government. If there is failure in a job of reorganization, whom will the people look upon as responsible? The answer is: The President of the United States. Should there be any division of responsibility in keeping the executive branch of government clean, honest, economically and efficiently operated? The answer is "No."

May I inject here this thought—and I do it sincerely—I do not believe that big government, too far removed from the people, is the responsibility or the work of any particular political party. It is, in my humble opinion, the result of a number of factors, among which have been war—actual and cold, emergency and world-wide responsibilities, and at times the indifference of the American people, and the unwillingness of local and State governments to assume their full share of responsibility for services to their respective peoples.

I think it is unfortunate that the President, his subordinates, and the leaders in Congress got their wires crossed about this resolution. I was impressed by Mr. Dodge, Director of the Bureau of the Budget. When he testified before our Committee on Government Operations, he spoke with apparent authority. Here are some of his statements:

I think a simple majority would make it almost impossible for the President to act in the manner in which you expect him to.

If there ever was a time when the President should be given adequate powers, it is the leader of the incoming administration. His powers certainly should not be weakened.

The President has very determined ideas of what he would like to accomplish, what he believes the people expect of this administration; and I think he is entitled, under all these circumstances, to have his hand strengthened as much as possible, and certainly not weakened.

The public record shows this has been discussed with leaders of the Congress. I am testifying as to the act presented here. We would prefer an extension without modification or weakening of the present act.

And, then, in answer to questions of Mr. RIEHLMAN and of Mrs. ST. GEORGE, he made the following statements:

Mr. RIEHLMAN. I am sorry I was not here to hear your opening remarks. However, I am of the opinion that you are wholeheartedly in accord with the extension of the present act as it is, without any modification whatsoever?

Mr. DODGE. That is right.

I believe that the President should be given an effective tool for carrying out his responsibilities within such limits as are

reasonable, and those established now appear to be reasonable.

* * * I think practice has shown that the decision under the 1949 act was adequate, and we prefer that this be continued as is and not weakened in any way nor modified by exceptions.

Mrs. ST. GEORGE. Mr. Dodge, am I correct in assuming that this bill that we have before us has been cleared by the present administration, that it is regarded as the minimum on which they can work?

Mr. DODGE. That is correct.

I am delighted to know now that the Republican leadership in Congress condescended to yield to the wishes of the President and the views of Mr. Dodge, who minced no words in his opposition to the Hoffman amendment. It is consoling to know that the experience and the expert advice of so many individuals and groups have finally made an impression upon the Republican leadership in Congress. The oldest living former President of the United States, Mr. Herbert Hoover, expressed himself in support of H. R. 1979 without amendment. He is the last person any Democrat would expect to see asking for a grant of authority not justified by the facts. The studies and recommendations made by the United States Chamber of Commerce and the Citizens Committee for the Hoover Report, and by other interested and experienced individuals and groups of Americans, deserve our most careful nonpartisan consideration.

The only difficulty I can foresee from the passage of this legislation lies in the fact that the President's reorganization plan must be rejected or accepted in its entirety, if I am correctly informed. I do believe that Congress should give serious consideration to some kind of legislation which will either permit an amendment to the plans submitted—and this could be dangerous—or a means of coordination between responsible leaders in Congress and the President so that the President, himself, may amend his own plans, in keeping with constructive suggestions from Congress, before they are acted upon.

By way of summarization of what I have said, I repeat in another way: Reorganization is necessary. It can result in a substantial reduction of expenditures and of our tax burden. It can result in more efficiency in Government. Should it be undertaken by the President because of a desire to make provision for patronage for an untold number of supporters, then it is doomed to failure and it could be a crime against the American people. If, however, reorganization is attempted by the President in a nonpartisan way, without thought of his party affiliation, without fear of political repercussions if certain supporters, lose their jobs or places of trust; if it is attempted by him vigorously and honestly, as I believe it will be attempted, it can well result in substantial improvement and efficiency of the executive arm of Government and in substantial reduction of our expenditures, both at home and abroad.

He has requested that we appoint him our agent to do this job. He has committed himself to do it thoroughly, honestly, and well. I have confidence in his integrity and his sincerity of purpose and

his willingness to carry out essential orders to his subordinates. I likewise have sufficient confidence in the Members of Congress to believe that, regardless of party affiliation, a substantial majority of the membership of one House or the other will, first, reject any plan that is not right and, secondly, in the future, refuse to extend any authority not properly put into execution. In this program of contemplated action, and in all other programs affecting the welfare of all our people, let us stand shoulder to shoulder, without thought of party affiliation, and do those things which we sincerely believe are for the best interest of our country. As we take these periodic inventories of the needs and responsibilities of Government, I suggest it is both fitting and appropriate that we take a spiritual inventory of our own lives, both as private citizens and public servants.

Mr. DAWSON of Illinois. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. DODD].

Mr. DODD. Mr. Chairman, I rise here briefly not only as a member of the Committee on Government Operations, but as well as one who has been chairman of the Citizens Committee for the Adoption of the Hoover Report in my own State of Connecticut. I suggest to my colleagues at this time that we of the Citizens Committee, which I may say was made up of members of both political parties, have approached this problem of support for the Hoover Commission, in a bipartisan, indeed, in a nonpartisan manner. We have been for and are now for a continuation of this reorganization program. I voted in committee against what is called the Hoffman amendment, because I thought it would be a restriction on the new President which was not imposed on his predecessor and because we of the Citizens Committee feel and have felt that the job of reorganization is difficult enough and that it is in the best interest of the country that a constitutional majority be required in order to further this reorganization program. I am aware that there are those both on my side of the aisle and on the other side who have grave concern about the constitutional question of the delegation of authority by the Congress.

Mr. Chairman, I am in receipt of a telegram from Mr. Charles B. Coates, vice chairman and general manager of the Citizens Committee for the Hoover Report, which reads as follows:

JANUARY 31, 1953.

HON. THOMAS J. DODD,
Old House Office Building,
Washington, D. C.:

Heartily urge you to oppose amendment substitution simple majority for constitutional majority in H. R. 1979 for Reorganization Act extension. This amendment would seriously damage chances for much needed continuation of Federal reorganization so well begun by bipartisan Hoover Commission. As amended this bill makes it possible for 25 out of the total of 531 Members of Congress to defeat any Presidential reorganization plan in practice. I fear that this would work out so that almost any worth while reorganization could easily be killed without "the Congress even half thinking about it," as the saying goes. Remembering your sterling work as voluntary chairman of the Connecticut Citizens Committee for the Hoover Report, I feel sure you will

agree that this amendment not only represents a dangerous set-back in the reorganization process but a bitter disappointment to the thousands of public-spirited citizens of both parties who stand ready to support the Congress and the administration in the vital task for making our Government stronger, more efficient, and more effective in this time of crisis.

CHARLES B. COATES,
Vice Chairman and General Manager,
Citizens Committee for the
Hoover Report.

I understand their concern. I lean toward that side myself. I want the Congress to retain its constitutional authority. I feel that the problem which confronts us today is of such a peculiar nature, and the difficulties which attend reorganization are so great, that it is fair and not unreasonable to suggest that we do pass this bill and continue this act as it has been written heretofore and as it is written today.

May I remind my colleagues, the five of them from Connecticut who are on the other side, I being the only Democratic Member from my State, that I do believe it is accurate to say that the overwhelming majority of the people not only of my own district but of our entire State are very much in favor of the continuation of this plan and are in favor as well of the continuation of the constitutional majority provision.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am under no illusions about what will happen to this committee amendment, which, by the way, was offered by me after I was assured that it met with the approval of the administration.

But to be frank, let me say that regardless of what the administration wanted I would have offered the same amendment. It is in the bill that was reported out without objection in the other body previous to the time our committee meeting was held. That amendment but expresses the opinion which I have held ever since I came here in 1935.

I might add that the CONGRESSIONAL RECORDS on the table back there, which I did not bring down to the well with me, contain the record showing that previously when there was a record vote on reorganization plans practically the same amendment which I offered to the committee and which is in the bill today was offered, and was supported on one occasion by 168 Republicans. I will not now embarrass my colleagues by reciting that roll call. We have now a President upon whom we can rely. That amendment received the support of the Republican leadership, including my distinguished friend from Indiana [Mr. HALLECK], the gentleman from Massachusetts, our present able Speaker, my friend from Ohio [Mr. BROWN], and many others, not only on that occasion but on every other occasion when it was offered.

Later on we were told by the administration advisers that the committee amendment was not wanted. That put 14 committee members on the spot. That change in orders left 14 members of the committee out on a limb—which later was sawed off behind them. Being loyal Republicans, being liberal-minded,

and, I assume this is the reason, willing to go along with the first Republican President in 20 years—one in whom they have confidence—they are now voting against the amendment which they voted for in committee, after they were advised that the amendment would meet the approval of the administration.

I have no fault to find with that. The administration just got its signals crossed—only temporarily. I have not yet, in all the years I have been here, criticized any Member of this House, because of his or her vote, and I never intend to do so.

One serious constitutional objection is met by the committee amendment. The unamended act requires that a majority of the authorized membership of each House is necessary to reject a reorganization plan. The amendment would restore the historic constitutional test for effective action of the Houses of Congress.

Those who feel that 218 affirmative votes—a majority of the authorized membership—should be necessary for effective legislative action in the House, or 49 affirmative votes in the Senate, should address themselves to a constitutional amendment.

To call such a requirement a "constitutional majority" is a farce. It is an innovation of the New Deal, repugnant to and designed to frustrate the Constitution.

No such test for legislative action is recognized by the Constitution. None can be imposed by legislation short of an amendment to the Constitution.

Figures which show the number of recommendations of the past two administrations that were turned down are irrelevant. Congress now has faith and confidence in our President. President Eisenhower does not need unconstitutional devices.

The bill without the amendment permits a plan sent down by the President's advisers—for presumably he knows nothing about it—to become the law of the land if 217 Members—one less than a majority of the House—vote against a resolution rejecting the plan or are not present. While those who oppose a simple majority rejecting a plan, they swallow without a quiver to their Adam's apple legislation which has never received the sanction of a majority; the same result would obtain in the other body. That position is absurd for while they insist that only a majority of those elected can reject a plan they accept the passage of legislation by less than that number—they accept legislation adopted by a majority of those present when the vote is taken—even when on one occasion as in the Senate the President and only one Member was present.

Now why do I oppose this reorganization bill with or without the amendment, if you please? Because I do not believe that Congress should delegate its legislative power to the executive branch of the Government.

A COMPARISON OF THE PROVISIONS OF THE REORGANIZATION ACT WITH OUR CONSTITUTION

Most school children know that we get our laws by the concurrent action of the Houses of Congress, followed by the approval of the President or the overriding

of the President's veto by a two-thirds vote of each House.

The Reorganization Act tries to prescribe another method for making laws.

Section 1 of article I of the Constitution of the United States reads:

All legislative power herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The Reorganization Act vests in the President the power to originate a "reorganization plan" which unless rejected by a House of Congress, becomes the law of the land.

Section 7 of article I of the Constitution of the United States reads in part:

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

The Reorganization Act provides that the plans originated by the President shall be filed with each House of Congress and, unless rejected by the affirmative vote of more than half the authorized membership of either House, shall become law. Under the proposed amendment, a plan would become law if not rejected by a majority of either House.

The constitutional powers of Congress are specified in section 8 of article I—see also section 3 of article III, sections 1 and 3 of article IV, and article V. The last clause of section 8 of article I reads:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

The Reorganization Act attempts to place in the Executive power and authority, not only to abolish agencies, except departments, but even to abolish any function of the Government, except that he must leave each department with one function.

The first sentence of section 1 of article II of the Constitution is:

The executive power shall be vested in a President of the United States of America.

The Reorganization Act makes it possible for either House of Congress to veto a Presidential reorganization.

The constitutional issue: Having in mind these provisions of our Constitution, Attorney General Mitchell—Thirty-seventh Opinions of the Attorney General, pages 56, 63—analyzed the constitutional question presented to him on the basis that, unless the function were executive, the delegation would be unconstitutional, and if the function were executive, the setting up of a method whereby one House of Congress could disapprove executive action violated article II, section 1. With all due respect for the statement of Tom Clark—then Mr. Truman's Attorney General—that Attorney General Mitchell based his opinion on an unsound premise, Mr. Mitchell's analysis seems determinative to me.

The Constitution is violated when Congress attempts to transfer legislative powers to the President—*Schechter Poultry Corp. v. U. S.* (295 U. S. 495); *Panama Refining Co. v. Ryan* (293 U. S. 388); *Yakus v. U. S.* (321 U. S. 414).

The Supreme Court distinguishes an unconstitutional delegation of legislative power by Congress from "a mere exercise—by the Executive—of administrative discretion under valid legislative authority"—*Lichter v. U. S.* (334 U. S. 742, 775).

Generally, Supreme Court cases discuss whether Congress has sufficiently laid down "its policies and standards in order that the administrative authority granted may not be an unconstitutional delegation of its own legislative power," acknowledging that this test is a matter of degree "not capable of precise definition" (id. at 779).

The draftsmen of the Reorganization Act of 1949 made a studious effort to comply superficially with these tests of constitutionality—see sections 2 and 3 of the act. But on amount of careful draftsmanship can conceal the basic difficulty presented by the very scope of the delegation in the reorganization act.

Except for its immediate predecessors, I know of no attempted delegation by Congress in any way comparable in breadth with the authority attempted to be delegated in the Reorganization Act of 1949.

Under that act, any function of any agency can be abolished by the Executive. The Marine Corps, and its roles and missions could be abolished.

All veterans' benefits can be invalidated by a ukase. The FBI could be put out of business. All farm price supports can be eliminated.

There is hardly an activity of the Government that a President could not eliminate, except that he must leave the nine major departments with at least one function each.

That act tries to give away the power and duty of Congress to make laws regarding the Government of the United States. It is silly to compare that kind of a delegation with the Renegotiation Act, or any other type of statute.

The standards and limitations set forth in the Reorganization Act would be adequate for a delegation of power to reorganize the Fish and Wildlife Service; possibly they would be adequate for a delegation of power to reorganize or even abolish the Department of Commerce, though that I doubt. But, a delegation of the scope of the Reorganization Act of 1949 cannot be validated by a legislative preface of generalities as to permissible aims—see *A. L. A. Schechter Poultry Corp. v. United States*, supra, and compare *Fahey v. Mallonee* (332 U. S. 245), in which the Court slides over the practical absence of standards because it is dealing with a narrow and customary field of delegation.

We have confidence in the President of the United States. He now has the power to, and I believe he will, clean up the "mess" in the executive department. But we have a Government of laws. A decision that this act is constitutional cannot rest in the fact, which I proclaim, that we have a good and

competent President. And there is nothing else on which it can rest.

Carved into stone over the door of the Supreme Court is the legend "Equal justice under law." That is the foundation upon which our Government rests. Constitutional Government is the basic reason we here have a greater degree of freedom, prosperity, and security than in any other country. The constitutional system of checks and balances, which has served us individually and as a Nation so well, will ultimately be destroyed if, little by little, first one constitutional provision and then another is either ignored or overridden. That we are on the way toward dictatorship is shown by the willingness of the Congress to surrender the legislative authority granted to it by the Constitution.

The Congress, of course, can delegate to the Executive administrative functions. But under the Constitution the Congress cannot veto any executive action, the power to perform which is given to the President by the Constitution. And yet in this bill what do we do? We grant legislative power to the President and then we violate another provision of the Constitution by writing in and claiming the right to veto that executive action. Twice in the same bill we violate the Constitution.

Now why? Why should we do it? In addition to my contention that this legislation is unconstitutional, I say it is unnecessary. It comes to me with a feeling of gratification to have our Democratic friends come up here after 20 years, with the exception of 2 years, of absolute control over every branch of this Government—and I speak advisedly and with all due respect because our judges are Democratic appointees—they come to us now and say in effect that this country is in a mess and the people in November agreed with them that the country will be ruined unless we grant legislative powers to the President. Have they so misconducted themselves over these 20 years that they have this Government in this kind of a situation where the Congress itself must abdicate and give to the President the powers which the people have reposed in us? Surely, Eisenhower is my President and I expect to go along with him. I expect to strain my conscience a little here and there on occasion, if I must, to go along—that is, just strain, not disregard it. But, after all, the people in my district are my bosses and I follow their orders after I have strained them through my conscience and used my good judgment to test them by constitutional standards. That is all I can do, and that is just what I have always done, just what I intend to keep on doing, so long as I am here.

But this is only the latest of the futile efforts to find a panacea for waste by reorganizing. Way back in 1888 the Cochrell Commission reported its findings. Then the Dockery-Cochrell Commission was established in 1893. Both were legislative creations, but the Keep Committee was established by President Theodore Roosevelt in 1905, and functioned until 1909.

In 1910, Congress appropriated \$100,000, and in the following 3 years an additional \$160,000, which provided for the establishment and operation of the Pres-

ident's Commission on Economy and Efficiency. Although the Commission made numerous recommendations, no legislative action was taken.

The Division of Efficiency, created in 1913, was later given reorganization functions, and the President was authorized to abolish duplications of service which it found to exist.

Vast war reorganization power, during World War I, was given President Wilson by the Overman Act.

After the war the Budget and Accounting Act of 1921 created the Bureau of the Budget and established the General Accounting Office as an independent agency.

In the Sixty-sixth Congress, in 1919, a Joint Committee on Reorganization of the Administrative Branch of the Government was established.

In 1921 the President was authorized to appoint a representative to cooperate with this committee. Among the recommendations of the committee in 1924 were: First, the coordination of the Military and Naval Establishments under a single Cabinet officer, as the Department of National Defense—a proposal which was adopted some 25 years later; second, transfer of all nonmilitary functions from the War and Navy Departments to civilian departments—chiefly Interior and Commerce; third, elimination of all nonfiscal functions from the Treasury Department; fourth, establishment of a new Department of Education and Welfare; fifth, change the name of the Post Office Department to Department of Communications; and, sixth, the attachment to the several departments of all independent establishments except those which perform quasi-judicial functions or act as service agencies for all departments.

There was some coordination of units of the Veterans' Administration by President Hoover under act of July 3, 1930.

Authority very similar to that contained in the Reorganization Act of 1949, if committee amendments are adopted, but not as complete, was contained in the Legislative Appropriations Act of 1933.

No plans proposed by President Hoover under this authority became law, and Attorney General Mitchell found the act, so far as it attempted to provide for reorganizations, to be unconstitutional—Thirty-seventh Opinions of the Attorney General, pages 56, 63.

The Treasury and Post Office Appropriations Act of 1934 gave President Roosevelt power to issue Executive orders subject to congressional disapproval within 60 days for the purpose of governmental reorganization. The President submitted six Executive orders during 1933 and 1934 in accordance with this grant of power. All the orders became effective, and are known as the first Roosevelt reorganization plan.

On February 25, 1936, the Senate passed a resolution establishing the Select Committee to Investigate the Executive Agencies of the Government. Composed of five members, headed by Senator HARRY F. BYRD, the committee was appointed by the President of the Senate and drew its funds from the contingent funds of the Senate. The committee was responsible for a series of 14 reports

prepared by the Brookings Institution and published as Senate committee prints.

In March 1936, President Roosevelt advised the Congress that he was going to appoint a committee to formulate a plan for the reorganization of the executive branch of the Government and asked the cooperation of the Senate select committee in that project. The President then appointed Louis Brownlow, Charles E. Merriam—who died in January 1953—and Luther Gulick as the President's Committee on Administrative Management. The committee submitted its report in 1937 with the following main recommendations: First, expansion of the White House staff; second, strengthening and developing the managerial agencies of the Government, such as those dealing with the budget and personnel; third, extension of the merit system; fourth, grouping of independent agencies and units in 12 major executive departments; and, fifth, establishment of accountability of the Executive to the Congress by providing an independent post audit of all fiscal transactions.

The Reorganization Act of April 3, 1939—Public Law 19, Seventy-sixth Congress, first session, Fifty-third Statutes, page 561—gave President Roosevelt power to reorganize through the device of reorganization plans which were to be submitted to the Congress. Disapproval by both Houses within 60 days was required to defeat plans and a time limit for submission of plans—January 21, 1941—was included. Under the authority given him, the President submitted five extensive plans of reorganization, all of which were approved.

The next major action relative to reorganization came in 1945, although the President had been given wartime powers of great scope. The Reorganization Act of 1945—Public Law 263, Seventy-ninth Congress, first session, Fifty-ninth Statutes, page 613—gave the President authority again to submit reorganization plans subject to the disapproval of both Houses of Congress. Seven plans were submitted under the authority of this act; two were rejected by both Houses; two were disapproved by one House but went into effect; and three were approved without serious objection.

In July 1947 Congress established the Commission on Organization of the Executive Branch of the Government, better known as the Hoover Commission. After 2 years of extensive study and the expenditure of a little less than \$2,000,000 the Commission in 1949 issued a series of reports on various phases or units of the Federal Government. Nineteen reports were submitted to Congress along with accompanying task force reports and other supporting data. It has been estimated that over half of the recommendations of the Hoover Commission have been adopted. The Congress might well adopt the remaining Hoover Commission's recommendations before it seeks others.

In 1949 Congress passed the present Reorganization Act authorizing the President to submit reorganization plans. This time, however, the disapproval of a constitutional majority of only one House of Congress was sufficient to reject a plan. So far, 41 reorganization plans

have been submitted under this authority; 29 have gone into effect; 11 were rejected by Congress; and 1 was superseded by law. The authority granted by the Reorganization Act of 1949 would expire, except for the now-proposed amendment, on April 1, 1953.

Under the personal direction of its president, Robert L. Johnson, former chairman of the Citizens Committee for the Hoover Report, Temple University is now making a survey.

In November last then President-elect Eisenhower wrote Dr. Johnson, as follows:

DEAR DR. JOHNSON: Thank you for your letter of November 14, in which you advise me of the nonpartisan review and study of Government reorganization which has been undertaken by Temple University. It is my understanding that this will integrate and bring up to date existing studies and recommendations, including the report of the Hoover Commission. This undertaking is most timely and should be very helpful to the prospective members of the new administration.

I am appointing a committee composed of Nelson A. Rockefeller, Arthur S. Flemming, and Milton Eisenhower to represent me and work with my assistant, Gov. Sherman Adams, and the Budget Director in connection with this study. In view of the fact that the appointment of the new Cabinet will soon be complete, I would like to make available to the Cabinet designees the experience and findings of the experts who are now conducting the review.

With lasting appreciation of your initiative and selfless devotion in this matter,

Sincerely,

DWIGHT D. EISENHOWER.

To the average taxpaying citizen who has knowledge of the President's desire to streamline our Government, of his authority, there would seem to be little need for further research. Present conditions are obvious. The cure—Executive action is available. Why spend further time in diagnosis?

Does the President need the unconstitutional power of this Reorganization Act? I say "No." Has reorganization been effective in years gone by? I say "No." We have had reorganization plan after reorganization plan, and what is the situation? There have been more employees, with one exception, in each of the 3 years after every reorganization act was adopted than there were before, and we have spent more dollars by the billions after the adoption of reorganization plans than we did before.

Here is a list of civilian employees of the executive departments for each of the 3 years immediately following the adoption of enabling reorganization legislation:

1934.....	714,657
1935.....	830,122
1936.....	846,316
1940.....	1,183,344
1941.....	1,670,922
1942.....	2,810,871
1946.....	2,277,078
1947.....	1,999,431
1948.....	2,075,559
1950.....	2,181,217
1951.....	2,518,137
1952.....	2,562,792

The same conclusion is demonstrated by the civilian payroll of the executive branch of the Government for each of the 3 years immediately following the

adoption of enabling reorganization legislation:

1933 Reorganization Act	
1934.....	\$1,151,547,000
1935.....	1,398,383,000
1936.....	1,584,485,000
1939 Reorganization Act	
1940.....	\$1,955,068,000
1941.....	2,501,105,000
1942.....	4,406,373,000
1945 Reorganization Act	
1946.....	\$6,717,837,000
1947.....	5,722,339,000
1948.....	6,176,414,000
1949 Reorganization Act	
1950.....	\$6,969,504,000
1951.....	8,934,726,000
1952 estimate.....	9,833,613,000

So, is authority to submit reorganization plans the remedy? Look at these books on this table in the well of the House. Do you know what these are? The Veterans' Administration paid \$605,000 for that study of how to reorganize the Veterans' Administration, which was completed last year. Then they did not use the plans. Then the VA came out with this other book, beautiful maps and tables, telling why they did not use the \$605,000 plan. If you will read it, you will learn that they did not adopt it because of convention resolutions and protests that came to the head of the Veterans' Administration from several groups. Six hundred and five thousand dollars down the drain. Why argue in support of things like that? An Executive order from the President to put it into effect would have done the job.

Then you say, "Why don't you go along with this?" I do not believe the President needs this bill. Why? Because he is the head of this Government. The President appoints the heads of these departments—all of them. He is a military man. He is a man of experience in administrative lines. He has absolute charge. He can call for their resignation any time he wants to. He has the power. He is accustomed to giving orders—let him give a few. Did not the Secretary of Defense give up \$2,500,000 in stock just to get a job that he does not need just to serve his country? That is some power, is it not, to make you let go of that much money? The President of the United States, being a man of integrity, being a man of determination, accustomed to giving orders, what does he need to do to get efficiency and economy? Certainly not to send down plans. Oh, let him crack the whip a bit over his own appointees and their deputies. He can do it. Administration officials are dependent upon him. We are not. We are dependent upon our people for our jobs, for our continuation here; to them we report; for them we serve. So all the President needs to do, having a desire to economize, and knowing how, as he does, is to give orders. It is an insult to the intelligence of this Congress, it is a slur, you might say, on our faithfulness to our constituents to argue here that if your President sends down a sound reorganization proposal we will not go along. Of course we will. Have we not had the most sound pledges from the minority that they would go along? They have given us their word that they would go along.

Do you know how long they will go along? Until the President sends down the first bill which will kick out of office some of the incompetents that came in during the last administration. Then we will see them all going toward the rear in jet planes. They will not be with us. Do not be deceived with that foolishness. They will desert before the day is over. But we on this side will stand by the President.

How do you legislate? Do any of you know a school boy or girl who will not tell you when you ask that question as to who makes the laws, that Congress makes them with the approval or over the veto of the President?

Would you favor permanent legislation which takes away this power that the Constitution puts in Congress? If we pass a bill which gives a President permanent authority to send down these plans, the plans would become law if neither House takes any action, or even if majorities of both Houses disapprove the plans. That is not the way the Constitution is written.

I will tell you why they do not want to give to the executive branch that legislative power permanently; they just want to let go of it for a little while. But if Congress lets go of its constitutional powers for a little while now, the loss may later be permanent. Any bill repealing a reorganization act must have a majority vote of both Houses, and if the President vetoes it, it takes two-thirds of each House to override the veto. Do you see where we are getting?

Some may say they have no objection to giving a President temporary powers, but power granted to a benign President, to a Republican President in whom we have faith and confidence, might, as they have told us over here, after the expiration of his term vest in the hands of another Truman, and then where would we be? We could not get rid of it. There is the danger. Some are not opposed to a little unconstitutionality, but they do not want too much of it. They do not want it to become a settled policy, or so they say. I cannot go along with that. We have heard an eloquent plea today from our majority leader who sits here, the gentleman from Indiana [Mr. HALLECK]. I recall distinctly that he made some eloquent and forceful arguments here when we exempted 21 agencies from reorganization. On another occasion I think it was 7 or 8, and now we do not exempt any. Where are we going? Little by little the Executive is encroaching upon the power of the Congress; and while I will go along with the President on any proposed economy or efficiency legislation which he may send down here, and as I said a moment ago, while I will strain my conscience just a little to do that, I will never go along with the grant of a constitutional power to anyone in the executive department.

I cannot vote for this bill, because today's grant of unconstitutional power to a liberty-loving President may be tomorrow's weapon in the hands of a now unknown tyrant.

CONFERRING LEGISLATIVE POWER UPON A PRESIDENT TO REORGANIZE THE EXECUTIVE DEPARTMENTS IS UNNECESSARY

(a) Because a President now has the authority to appoint the heads of the

executive departments and to force them to adopt practices which will bring about both economy and efficiency of administrative functions;

(b) Because a willing Congress, knowing the urgent need for both economy and efficiency in the operation of the executive departments, will enact any and all necessary, constructive legislation which he may send to it by either bill or resolution; and

(c) Because we now have a President who has the administrative ability, the courage, the desire, and the determination to, by Executive order, or the approval of bills or recommendations submitted to Congress, "clean up the mess" which was so large a factor in his election.

Now, it is quite true that obviously, in a business as large and as sprawling as is the Federal Government, there must be over-all plans. No one contends that this Government of ours or any one branch of it can be successfully operated without plans and organization.

Equally true is it that no legislation, no organizational set-up, will either operate itself or can be made foolproof. Inefficient administration will wreck the most perfect organization.

The President is aware of the danger to our economic structure; he is undoubtedly determined that, in the executive departments, we shall have both efficiency and economy; he is, as the people decided in November, a superlative administrator, a man accustomed to command the obedience of those under him. I can see no reason why our President cannot, why he will not, attain the long-sought objective of an economic, efficient administration in the executive departments.

For myself, I prefer to retain our constitutional government, rely for the needed reforms upon the unquestioned ability, integrity, courage, and determination of our President.

That I am justified in this belief is evidenced by order No. 1 of Attorney General Herbert Brownell, Jr., which demands that the employees under him give the service to which the Government has so long been entitled, to which the people have been looking forward—see exhibit A.

There is also proof, in a release by Secretary Benson, that, in the Agriculture Department, a similar drive is on—see exhibit B.

Just 10 days ago, President Eisenhower took over, and, within that 10-day period, we have not only these two, but several other orders which, if followed throughout the executive departments, will give us the needed cure.

What more evidence does the most skeptical New Dealer want to convince him that we are on the road toward a more economical, a more efficient executive department, a balanced budget, a lower tax rate?

What this country needs is not an unconstitutional grant of legislative power to the executive department, but faith in the Chief Executive, an opportunity given him to, may I state, crack the whip, let the subordinates know that he means business.

If the President finds that he cannot bring about necessary and desirable

reforms under the power he now has, or through resolutions sent to a more-than-willing Congress, the Congress can easily and quickly change its procedure to insure immediate consideration of new legislation.

EXHIBIT A

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C.

ORDER NO. 1

To All Officials and Employees of the Department of Justice:

The business hours of the Department for all offices, including the field, are hereby established as 9 a. m. to 5:30 p. m., Monday through Friday, inclusive. Variations in the established workweek or irregular tours of duty may be fixed to meet the requirements of law or the needs of the service. The hours of duty must be strictly observed.

A schedule for lunch periods will be established in each office on a staggered basis so that someone will be present at all times to answer inquiries or handle routine business. Any abuses of the time allotted for lunch should be corrected by administrative action either as a charge against annual leave or appropriate disciplinary measures.

Unavoidable or necessary absence from duty not in excess of 30 minutes and tardiness may be excused by the supervisor. The time must be made up either by charge against overtime previously worked or subsequent overtime. Habitual tardiness will not be excused and will be charged against annual leave or corrected through disciplinary action. The minimum charge for annual leave regardless of the period of tardiness is 1 hour.

Complete records must be maintained by the time and attendance clerk on all periods of overtime. All paid overtime must be ordered by the head of the division or office and approved in advance by the Deputy Attorney General or the Administrative Assistant Attorney General.

This order becomes effective immediately.

HERBERT BROWNELL, Jr.,
Attorney General.

EXHIBIT B

UNITED STATES DEPARTMENT
OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, January 22, 1953.

SECRETARY BENSON MOVES TO OVERHAUL DEPARTMENT OF AGRICULTURE

The United States Department of Agriculture, largest of all the Nation's civilian agencies, swollen into a huge bureaucracy of 20 agencies and bureaus in the last 20 years, is getting a major overhauling.

Ezra Taft Benson, Secretary, announced today that he is regrouping the Department's services into four divisions for administrative purposes. Another division, that of the Solicitor's office, will remain as presently constituted.

"This action," stated Benson, "will make possible a closer coordination of related activities. All the regrouped agencies retain their present structure with the exception of the agricultural conservation program. This will be transferred from the Production and Marketing Administration and placed with the Research, Extension, and Land-Use group.

"What we intend is a gradual streamlining of the Department's services in the interest of economy and greater efficiency. The action is taken after weeks of study and conferences with congressional leaders, the members of the President's Committee on Reorganization, our own Interim Agricultural Advisory Committee, and members of the Hoover Commission."

In a memorandum to agency heads and employees, announcing the new grouping

and outlining the new lines of authority in his Administration, Secretary Benson had this to say about policy:

"As public servants, we must recognize the duty and responsibility we have to serve the public efficiently and well. The people of this country have a right to expect that every one of us will give a full day's work for a day's pay. They have a right to expect that we will find more effective and economical ways of doing our job. In these times of unprecedented public debt and continued high Federal expenditures, the public rightfully expects us to put forth even greater effort to effect savings in Government operations and to reduce public expenses. Fulfillment of this responsibility will require the undivided loyalty and support of every agency head and employee in the Department. We must work as a team if we are to meet the problems that lie ahead and render the greatest possible service to the farmers of America, the entire agricultural industry, and to this great and good country we love so much."

Mr. HELLER. Mr. Chairman, I am in favor of granting President Eisenhower the necessary powers to reorganize our governmental system so that it may continue to function smoothly and efficiently.

The bill, which came to us from the Committee on Government Operations calling for amendment of the Reorganization Act of 1949, actually seeks to shear the President of effective power and authority to undertake such reorganization plans of our Government departments, agencies, and bureaus as the times and circumstances would require. The committee's formula to substitute so-called simple majority of those present and voting instead of a constitutional majority of all Members of Congress, in my opinion, constitutes a weakening of Presidential power.

At a time such as this, when we are beleaguered with so many problems at home and abroad, we should utilize every opportunity to strengthen the hand of our Government and its responsible leaders so that this country can continue to exert its influence for the good of all.

I am heartily in agreement that Congress should grant a 2-year extension of the same reorganization powers to President Eisenhower as that held by his predecessor, Harry S. Truman. I feel he deserves every opportunity and support to carry out the pledge he has made to the American people to effect economies in Government. Whether we be Democrat or Republican, in a matter such as this we should not take a strictly partisan approach. We must adapt ourselves to new situations and meet the challenge of the times as statesmen and leaders of a great Nation.

Let us not hesitate to give President Eisenhower the encouragement he needs and the power to act when the time for action is at hand. The welfare of the country demands it.

Mr. HOFFMAN of Michigan. Mr. Chairman, I yield back the balance of the time on this side.

The CHAIRMAN. All time for general debate having expired, the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That subsection (b) of section 5 of the Reorganization Act of 1949 (5 U. S. C., sec. 1332-3 (b)) is hereby amended by striking out "April 1, 1953" and inserting in lieu thereof "April 1, 1955."

With the following committee amendment:

At the end of the bill add the following: "Sec. 2. Subsection (a) of section 6 of such act is amended to read as follows:

"(a) Except as may be otherwise provided pursuant to subsection (c) of this section, the provisions of the reorganization plan shall take effect upon the expiration of the first period of 60 calendar days, of continuous session of the Congress, following the date on which the plan is transmitted to it; but only if, between the date of transmittal and the expiration of such 60-day period, there has not been passed by either of the two Houses a resolution stating in substance that that House does not favor the reorganization plan."

Mr. HOFFMAN of Michigan. Mr. Chairman, I rise in support of the committee amendment.

Mr. Chairman, so far as I am concerned, I shall not prolong the discussion. You all know where I stand on this matter. I merely want to say that from the practical standpoint, and I do not know what action the other body has taken or will take on this, the same amendment is in a bill reported out by the corresponding committee of the other body without objection. If that body takes the bill its committee has reported we will go to conference. In any event, by insisting on striking this amendment which is not necessary to the adoption of effective reorganization plans the administration may lose some support in the other body by those who wish to adhere to constitutional procedure which it otherwise might have. Why does the leadership fight for something it does not need when by so doing it opens the way for a future President to take over our duty to legislate?

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask for this time to state my position against the Hoffman amendment and to again reaffirm the position that has been consistent on the Democratic side. If we are going to have effective reorganization, we must give to the President peculiar powers in a special arrangement whereby plans he has drafted can be considered by the Congress in such a way they will actually receive the consideration of the Congress and not be rejected by a small minority of the membership. I therefore ask, when the vote occurs on the Hoffman amendment, that it be voted down.

Mr. JUDD. Mr. Chairman, I move to strike out the last two words.

(At the request of Mr. HOFFMAN of Michigan, and by unanimous consent, the time of Mr. JUDD was extended 5 minutes.)

Mr. JUDD. Mr. Chairman, I recognize that my position on this amendment is a very difficult one to discuss and that whatever one says on that position will be misinterpreted by some as lack of confidence in our President or opposition to him. But I think I probably am as good a person to contend for it as anyone because I do not think anybody can rightly say that I do not have confidence in President Eisenhower. No one tried harder than I did for a whole year in almost every State of the Union to get him nominated and elected; nobody has been prouder of the way he is conducting

himself and the responsibilities of his office. Every prediction and every assurance that I gave to voters when urging them to support his candidacy has been fulfilled in fullest measure. I am stronger for him today than I ever was before. Nevertheless, if this amendment is adopted, it will be portrayed that our approval of it means that Republicans are not supporting their own Republican President. It will be said Republicans are not willing to give Eisenhower what the Democrats gave Roosevelt and Truman. That is true, but not for the reason implied. We did not want to give such power to Presidents Roosevelt and Truman, not because we had lack of confidence in them but because we believed there were certain constitutional principles and responsibilities it is our obligation to uphold, just as the President has certain principles and responsibilities it is his obligation to fulfill.

Mr. Chairman, this amendment which is being offered now, is the very same amendment I offered in October 1945. It came within 14 votes of being adopted. I offered it again in 1949 and it almost carried. Practically all the Republicans voted for it and a good many Democrats voted for it. It is the same amendment. If I believed it was sound principle when we were in the minority, it is still sound principle when we are in the majority.

In discussion of the amendment on October 4, 1945, I said in part:

The people of this country are crying out against overgrowth, overlapping, duplication, and waste in Government. They are crying out against centralization of power. Yet in this very bill, in which we provide for reorganization with the idea of achieving economy and more efficiency and eliminating duplication, we are making a vast grant of power to the President, without reserving for ourselves the right to pass on whether or not he uses that power wisely.

I am not afraid of granting him that power if we have a chance to review it. I want him to have the power. I know he is in a better position to provide a good reorganization plan than any of us here is, but I cannot believe that it is a wise or sound legislative policy, for us to make a delegation of power to the President to prepare a reorganization plan and then allow the plan to go into effect—even though one House disapproves it.

To do that is to abdicate our responsibility for making sure that the power which we have properly delegated, is wisely used, in accordance with the objectives we have laid down in section 2 of the bill. I am not suggesting any lack of confidence in the present President of the United States—

Who at that time was President Truman only a few months after he became President—

because I personally have great confidence in his integrity and the soundness of his judgment; but no President or his advisers can be all-wise. That is why we have division of responsibilities under our Constitution. We in Congress have certain responsibilities we cannot escape. One of them is for the form, character, and functions of executive agencies.

I believed that then, I believe it now. Having crusaded up and down this country for many years for principles—for government by law, not by men—I cannot do other than continue to take that position. It is not against anybody in

the executive branch now as it was not then. When we had the 1949 bill up I said on that very point:

If I felt sure the President would always send what I personally would regard as the best reorganization plan ever devised, I still would be opposed to a system whereby the House could not hold that plan up if a majority should think it unwise.

That is the system by which we legislate. It is the method established under the Constitution. Action in the Houses of Congress is decided by a simple majority, except in one case, that of an amendment to the Constitution. Such an amendment has to have a two-thirds majority of all of the actual Members of the House. Except that single case, a simple majority determines the will of this House. Therefore, reluctantly, and recognizing that doubtless some will misunderstand or misrepresent, I still have to take the position that I think is my duty and responsibility to take—just as I totally respect the President as he carries out his duty and responsibilities as he sees them.

There is only one thing in this whole episode that has given me a little disappointment. Some Republicans who applauded our sticking to constitutional principles when the President of the United States was Franklin Roosevelt or Harry Truman, now ask us to abandon those same principles just because the President now is Dwight Eisenhower. I believed them before; I believe them now. It was not against President Roosevelt or President Truman then; it is not against President Eisenhower now. It is for the Constitution of the United States, as many of us see it, and I respect totally those of you who do not agree with my position. If the amendment is voted down, I shall vote for the passage of the bill, as I did in 1945 and 1949.

That brings me to the other point. In addition to the principle involved, there is a practical matter involved. Some have said that if we adopt this amendment it will prevent reorganization. I do not think as a practical matter it would prevent any effective reorganization. The fact is, it was easier to get a constitutional majority against any plan sent down by President Truman, because the House did not have confidence in those around him, than it will be to get a simple majority against a plan sent down by General Eisenhower, because there is confidence in him. This amendment would not block effective reorganization. Anything that comes down here that is sound and ought to be passed will be passed. You cannot possibly get a majority of this House to oppose any plan that gives real economy and real efficiency; whether it is a constitutional or a simple majority, I think, is relatively insignificant when we have an administration in which a majority of the Congress, both parties, has confidence.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from Indiana.

Mr. HALLECK. The gentleman says, and I think with some force, whether the amendment is adopted or not it might not have any substantial practical effect on reorganization. If that

is true, then why not go along with us who think, when this authority was granted to the preceding President, it might well be granted to this President? If any reorganization plan is presented that is thoroughly bad and the Congress feels it is bad, I think we will be able to muster a constitutional majority. The point I am making is, as I said earlier, much ado has been made of this whole proposition. I think, in the light of history and the experience we have had, it just has not been worthy of that sort of emphasis. However, there are a great many people who have worked diligently for reorganization, have spent a lot of time on it, have been trying to build up sentiment, have figured out the plans, who are very much concerned; they are afraid if we go to the simple majority there might be a very definite road block in the way of effective reorganization. In view of that, does not the gentleman agree with me that we had better go along with the bill as originally introduced?

Mr. JUDD. No; I am sorry I cannot agree with the gentleman. I do not think it will make much, if any, difference in actual reorganization achieved. But the principle involved is of the greatest importance. So I think that from the standpoint of both principle and practicality the thing to do is adopt this amendment and preserve the basic system under which our Government has operated until recent years, when too often grants were given to Presidents just because somebody asked for them and a majority of the Members went along.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to my chairman.

Mr. HOFFMAN of Michigan. I know the gentleman was campaigning for the President long, long before the convention, before many others who came in later were saying a word in his behalf. Does not the gentleman think the President should trust the Congress a little bit to go along with him, instead of asking us to do something which we think is unconstitutional?

Mr. JUDD. I do not blame General Eisenhower for this request for power.

Mr. HOFFMAN of Michigan. I was not blaming him.

Mr. JUDD. I think it was inevitable and natural, and I would have been surprised if he and those around him had not asked to have extended to him the same powers previous Presidents were given. That is perfectly normal, and I have no criticism of it whatsoever. He probably has not gone into our side of it as you and I need to. His obligation is to the executive branch and our obligation is here.

Mr. HALLECK. Mr. Chairman, will the gentleman yield for a further observation?

Mr. JUDD. I yield to the gentleman from Indiana.

Mr. HALLECK. I am sure the gentleman from Michigan would agree with me that the President has been most magnanimous in his attitude toward this whole matter.

Mr. JUDD. That is certainly true.

Mr. HALLECK. As I said earlier, there has been no effort at dictation, there has been no effort at domination. On the contrary, every evidence points to the fact that he wants to cooperate with the Congress and is going to cooperate with the Congress. That is the reason I feel strongly about the adoption of this measure.

Mr. JUDD. As I said at the outset, it is mighty hard in my first statement in this new Congress to oppose what looks like an extremely important matter from the standpoint of the executive branch. I do not like to do it. On the other hand, I know the President will respect me for sticking by my convictions as I respect him for sticking by his.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. (On request of Mr. BYRNES of Wisconsin, and by unanimous consent, Mr. JUDD was allowed to proceed for three additional minutes.)

Mr. BYRNES of Wisconsin. It seems to me no resolution to reorganize that is sent up that cannot muster the approval of a simple majority has any right to become law.

Mr. JUDD. That is exactly right. But actually the bill makes it even harder to defeat a plan. It goes into effect unless we muster a majority to disapprove it. Believe me, something has to be awfully bad before a majority of this House will rise up and publicly disapprove a plan sent down by the President of the United States. I am not in the least alarmed about the results from the standpoint of reorganization. I want that as badly as the gentleman does.

Mr. BYRNES of Wisconsin. Is not that the only proposal that is consistent with the theory of legislation by the Congress rather than legislation by the Executive?

Mr. JUDD. That is the way I regard it, entirely.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. JUDD. I yield to the gentleman from California.

Mr. JACKSON. I believe one of the reasons the gentleman is known for his forthrightness and for principle in this House is because of stands such as the one he has taken today. I find myself in very much the same position as the gentleman. I congratulate him upon his stand upon principle, and I associate myself with it.

Mr. JUDD. I thank the gentleman. Nobody who knows me, I think, will imagine I would get up here and say what I have said today without a considerable wrestling within my soul. But I took an oath to support and defend the Constitution. I have to interpret it as I see it to the best of my ability. I respect fully those who do not see it that way. It may be that this kind of start is the best way to have the best relations between the Executive branch and the Legislative branch through this new administration, which for my country's sake I hope and pray is going to do all the things you and I want it to do.

Mr. Chairman, we are always talking about principles. Now is the time to stick to principles.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the committee amendment.

The amendment was rejected.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan: Page 2, add a new section 3 as follows:

"Sec. 3. Subsection (a) of section 5 of said act is amended by striking the period at the end thereof and substituting for said period the following: 'or'; and by adding a new paragraph (7) thereto as follows:

"(7) minimizing or transferring from or consolidating with any other agency the roles, missions or functions of, or abolishing the United States Marine Corps."

Mr. HOFFMAN of Michigan. Mr. Chairman, at a previous session of the Congress, 50 Members I think from both sides of the aisle offered identical bills which had for their purpose increasing the size and insuring the roles and missions of the Marine Corps. As I recall it, such legislation was enacted. When we were rewriting the reorganization bill in January of 1947, both General Eisenhower and Admiral Nimitz were witnesses. Testimony was taken, and a quote from Admiral Nimitz, who was one of the Joint Chiefs of Staff, referring to the issues which were carried on in JCS 1478/10 and JCS 1478/11, was read into the record of the hearings on H. R. 2319 at page 640. This statement was as to what the Army was proposing to do to the Marines. I quote:

The basic and major issues considered in JCS 1478/10 and JCS 1478/11 comprise a proposal on the part of the Army (a) to eliminate the Marine Corps as an effective combat element, reducing it to the status of a naval police unit with possibly certain ancillary service functions in respect to amphibious operations, and (b) to abolish an essential component of naval aviation which operates from coastal and island shore bases. To those ends these papers propose to discard agreements on these matters which have been arrived at between the Army and the Navy from time to time over a period of more than 20 years, and which have resulted in a responsibility for functions proven highly effective in World War II.

That was Admiral Nimitz's statement as to what the Army Chief then represented by our President proposed to do to the Marines. Now, I am not out of order in proposing that following our previous efforts, we protect the Marine Corps from any reorganization plan which anyone may have in mind, either now or at some subsequent date.

I want to repeat what I said before once on the floor of this House—our distinguished majority leader advocated that 21 agencies be exempted. Some agencies were at one time exempted. So now I claim the same right to suggest we here and now try to ensure that the Marine Corps will be protected in any reorganization plan that may come down. There was a determined effort at one time to minimize the functions of the Marine Corps, and this amendment would give it protection against such move.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. HOFFMAN of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOFFMAN of Michigan: On page 2, after line 9, insert: "Sec. 3. Section 6 of said act is amended by adding at the end thereof the following new subsection:

"(d) If at any time within the said 60-day period, a resolution of either House stating in substance that that House does not favor the reorganization plan shall be defeated, after a resolution of the other House stating in substance that that House does not favor the reorganization plan shall also have been defeated, the provisions of the reorganization plan shall take effect immediately."

The CHAIRMAN. The gentleman from Michigan [Mr. HOFFMAN] is recognized.

Mr. HOFFMAN of Michigan. Mr. Chairman, preliminary to making a statement about this amendment, because, and only because, the gentleman from Indiana [Mr. HALLECK] stated a while ago that he thought the President had been very magnanimous in dealing with the Congress, let me say this: I do not consider it any great generosity for anyone to recognize my constitutional right to do what I think should be done with reference to legislation. The desire for "rubber-stamp Congressmen" for "yes men" went out several years ago. The Members of Congress are entitled to vote as judgment may dictate. The President himself should and I think would be the last man in the world to try to dictate to us what we should do, even though all of his life he has been a military man and most of that time subject to and the giver of orders. I do not have any idea that he intends to attempt to tell Congresswomen and Congressmen what to do.

Now, let us just see whether an amendment will be defeated even when the purpose is to make this legislation more effective. I do not like this bill—I will not vote for it for the reasons I have given but as it will become the law of the land I want to make it as effective as possible. What will this amendment do? Over the years in discussion on reorganization legislation Members have complained that there might be a situation late in a session where a proposed plan came down, came down too late to be made effective, or where effectiveness might be unduly delayed, and it was discussed—and I am sure the gentleman from Ohio [Mr. Brown] will agree with me—it was discussed in committee and with administration leaders as to how that situation could be remedied. So this amendment provides that in certain contingencies, if certain events happen; that is, a rejection of a resolution disapproving a plan by either House; that is, a rejection of a disapproving resolution by both House and Senate, then on adoption of a resolution, the act would become effective immediately. How does that strike my friends on the minority side for cooperating with the President?

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield.

Mr. HALLECK. As I understand it, the gentleman's amendment would simply accelerate the effective date of a reorganization plan, upon determination

that neither House was willing to override.

Mr. HOFFMAN of Michigan. That is right.

Mr. HALLECK. Has the gentleman given thought to the legality of that operation as against a resolution that might be affirmatively adopted for a plan?

Mr. HOFFMAN of Michigan. Yes. I have considered both and I thought this was the quicker way. This would do the job now. I have made some study of this and have consulted legal experts, and I was assured it was constitutional.

Mr. HALLECK. I cannot quite fix the occasion in my mind, but it seems to me there was an occasion where the question was raised as to the legality of this approach. That is the only reason I inquired of the gentleman, because, as I say, somewhere in my recollection—I am not able to say just where—there was some such question raised.

Mr. HOFFMAN of Michigan. Not exactly on this particular amendment but on this very point, the gentleman from Ohio [Mr. Brown] raised a similar question whether both Houses could, by affirmative resolution, put a plan into immediate effect. This is just a little bit quicker, as it is a part of the Reorganization Act itself—and if adopted will make unnecessary additional legislation to bring the same result.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLIFIELD. Mr. Chairman, may we please have the Clerk again report the amendment?

There being no objection, the Clerk again reported the pending amendment.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word. From the standpoint of clarification of the amendment, I would direct this question to the chairman of the committee. I would like to ask the chairman of the committee if the only thing this amendment does is speed up the effective date, in case there has been action on the part of one House disapproving the resolution, or if it makes contingent upon that action the fact that both Houses must have taken that action? In other words, the gentleman by his amendment is requiring both Houses to take action to reject a plan, is he not?

Mr. HOFFMAN of Michigan. Only the legislative procedure prescribed in the Reorganization Act which is that if within 60 days either House adopts a disapproving resolution—the gentleman knows the way we do that: The resolution comes from the committee stating that the House disapproves; if that resolution is voted down here and over there then, of course, the plan becomes effective and that takes care of the objection which the gentleman and others raise about plans coming down late in the 60-day period.

Mr. HOLIFIELD. But, of course, the gentleman takes away from the other body the right to take opposite action from the action taken by the first body.

Mr. HOFFMAN of Michigan. Oh, no; no.

Mr. HOLIFIELD. My understanding of the gentleman's amendment is that if one House takes action disapproving

a resolution of disapproval, then the other House takes action approving the disapproval resolution, then it must necessarily take a concurrent resolution in order to make the plan effective.

Mr. HOFFMAN of Michigan. Oh, no, no; it just accelerates it. I call on the gentleman now to give us that support in behalf of the President on reorganization which he pledged a little while ago.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Minnesota.

Mr. JUDD. It merely provides that if a resolution which is brought in here to disapprove a plan is defeated and a resolution is brought up in the other body and that resolution is defeated, then the plan goes into effect immediately instead of waiting 60 days; that is all.

Mr. LANTAFF. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. LANTAFF. Just one observation: If the disapproving resolution is adopted by a majority of the House then action by a majority can disapprove a reorganization plan, and this amendment offered by the gentleman from Michigan is merely a device to have a majority approve a disapproving resolution which would in effect put the House right back in the position of adopting the original Hoffman amendment.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. JUDD. The observation of the gentleman from Florida is not accurate; it is not a device to do by another method the same thing as the former amendment. If a resolution disapproving a plan passed in one House by a simple majority, it would not kill the plan, but the plan would not go into effect until the full 60 days; that is all. If, however, the plan were disapproved by a constitutional majority that, of course, would kill the plan, just as under the present provisions of the act.

Mr. HOLIFIELD. Mr. Chairman, in view of the confusion attendant upon the interpretation of this amendment which has not been presented to the committee, has not been given consideration by the committee, I ask that this amendment be voted down.

If action of that type on a reorganization plan is desired it can always be taken by concurrent resolution after action on the part of each House on the same subject matter. Therefore I ask that the amendment be rejected.

Mr. LANTAFF. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, we have before us but one question: The President of the United States has asked us to extend the present law under which he can send up reorganization plans to accomplish the balance of the Hoover Commission recommendations and to achieve the efficiency and economy he pledged during the campaign. The House has clearly indicated its desire to give the President that power. But now the distinguished chairman of our committee is offering

us another amendment, a double negative, if you please, under which he seeks to introduce a new procedure. A resolution disapproving a plan could be adopted by a simple majority thus thwarting President Eisenhower's wishes on the first thing he has asked us to accomplish. We must beware, as the gentleman from Ohio [Mr. Brown] put it so well the other day, of Greeks bearing gifts. The proponents of this amendment are the same Members who would deny the powers sought by the President. Let us vote down this amendment and support Mr. Eisenhower in the first thing he has asked for—merely an extension of the power of reorganization.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. LANTAFF. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I call the attention of the membership on both sides to the language of this amendment:

If at any time within the said 60-day period a resolution stating in substance,

Now, that is rather strange language. Mr. JUDD. That is the very language in the bill.

Mr. McCORMACK. If the amendment clearly undertakes to accomplish what the gentleman from Michigan says it will accomplish, that is one thing; but it seems to me that this amendment is capable of two constructions. It has never been presented to or considered by a committee of the Congress. I am accepting the gentleman's word that it means what he said it means and I am accepting the word of the gentleman from Minnesota [Mr. Judd]. But this particular amendment has never been considered by any committee. It seems to me it would be unwise to adopt the amendment at the present time without further study of its implications. While I shall vote against the amendment my vote will not be any indication as to my state of mind on the amendment if I had an opportunity to study it and understand what its significance is and what it means.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. LANTAFF. I yield to the gentleman from Indiana.

Mr. HALLECK. I think in fairness to the gentleman from Michigan, it should be pointed out that the Reorganization Act itself uses these words:

A resolution stating in substance that that House does not favor the reorganization plan.

So the language incorporated in the amendment is in line with the language in the act.

Mr. McCORMACK. That is correct.

Mr. HALLECK. May I just make this one other statement. The gentleman from Michigan did not indicate to me he was going to offer this amendment. Probably there is no reason why he should. But as far as having the opportunity to look into it and to see what its effect might be, I have not had that opportunity. From what I can understand of the amendment, and I want this in the Record in the event it is adopted, the only effect of the amendment that could possibly be found in the language would be to accelerate the effective date

of the reorganization plan. This acceleration would come about by action of both the House and the Senate in refusing to adopt a disapproving resolution on a reorganization plan.

I have no great feeling about the amendment. It may be that it is perfectly all right and would work to the best interest of reorganization, but, as I say, I do not know. Maybe I ought to have a definite opinion about it, but I do not. As it appears on its face I do not see where it could be destructive of what we are trying to do.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LANTAFF. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. In answer to the gentleman from Indiana, I want to beg his pardon for not submitting it. We have been present here, we have been busy in committee, and it was only late yesterday that I whipped the amendment into shape after discussion of the matter.

Mr. McCORMACK. Mr. Chairman, my position is pretty much the same as that stated by the gentleman from Indiana [Mr. HALLECK]. If appropriate language was considered by a committee that would accelerate the going into effect of a reorganization plan after the terms of the reorganization law had been complied with by both branches, a disapproving resolution, that would be one thing and, as far as I am concerned, I think I would approve it. But, on the other hand, I am not so sure this amendment accomplishes that purpose.

Mr. DAWSON of Illinois. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Illinois.

Mr. DAWSON of Illinois. It seems to me that the amendment accomplishes this: Under the present law, a matter comes up in the House when a disapproving resolution is filed in that House, and if no disapproving resolution is filed in the House then the plan will become a law, but under this amendment it compels two shots at turning it down. If it is brought up in one House, then by virtue of having been brought up in that House it is thereby brought up in the other, though that House has not filed a disapproving resolution. So we see once more those who are against the bill are trying to kill the President's plan as sent down.

Mr. MEADER. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. MEADER. I would like to point out that this matter was discussed in the committee, if the gentleman will recall. The discussion appears on page 22 of the printed hearings. The question before the committee there was, How could this be done? It seems to me there was agreement that there ought to be a way of accelerating the effective date of the reorganization plan, and it seems to me that the amendment offered by the gentleman from Michigan clearly accomplishes the purpose and nothing else.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I am always glad to yield to my friend. By the way, in all fairness, I want to make this observation. Anyone who should place any construction on the position of the gentleman from Minnesota as being opposed to the effect of this bill would be doing not only the gentleman from Minnesota an injustice but doing himself an injustice, because the gentleman from Minnesota is taking a position in accordance with his judgment and his conscience. While a Democrat, I respect the gentleman from Minnesota, and I know that the remarks that he made today and the position he takes are actuated by the exercise of his judgment and his conscience.

Mr. JUDD. I appreciate deeply the confidence of the gentleman, and he knows it is reciprocated. I agree that, with so much confusion regarding this amendment, perhaps it ought not to be passed today. I do not want it to go through if anybody thinks it is a trick to defeat reorganization. All it could do would be to speed it up a few days, and I do not think the Republic is going to stand or fall on whether a plan goes into effect a few days earlier or at the end of the 60 days' period.

I think I can testify as to the good faith of the gentleman from Michigan [Mr. HOFFMAN]. I would rather have the amendment fail than to have anybody thinking or saying that it is an attempt to play an underhanded trick to defeat reorganization. That is not its objective.

Mr. McCORMACK. That is not my state of mind and I have no such opinion as that. I do not think that is anyone else's position. However, I think the observation that this amendment comes from a source that is opposed to any reorganization is a proper argument to make and proper for us to consider, not on the question of a trick but on the question of consideration of the amendment itself.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I think this way. I will have to take this bill and as that is the situation I would like to make it as effective as possible. I would like to see the President in a position to do a good job and do it quickly.

Mr. McCORMACK. I have no doubt as to the gentleman's intention and I am not arguing with the gentleman as to his purpose, but I do say that I have grave uncertainty as to whether or not this amendment will accomplish this purpose. It has never been considered by the committee. I have never considered it and I certainly have been on the Committee on Government Operations for some few years now in the consideration of the present bill and the one in 1949 and I am acquainted with the history of past handling, and I think that it would be unwise to adopt this amendment because of the uncertainty and the confusion that exists in relation to its meaning and its effect; not its intent, but its effect.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. HOFFMAN].

The amendment was rejected.

Mr. ELLIOTT. Mr. Chairman, H. R. 1979 has my full support. I think it should be passed unanimously. There should be no difference between Republicans and Democrats on a question of the reorganization of the executive branch of the Government to improve the administration of the Government, save taxpayers' dollars in its costs, and eliminate red tape, overlapping, and duplication.

In order to reorganize the executive branch of the Government, President Eisenhower should have the same powers we gave President Truman under similar circumstances. I therefore feel that the limitations placed on the power of the Chief Executive by the amendment which Republican members of the House Committee on Government Operations grafted on to this bill should be removed. The amendment should be defeated. I trust that by action of this body this afternoon it will be defeated.

I am anxious to see our new President go forward with his announced intention of reorganizing the executive branch of the Government to cut costs and increase efficiency. I shall cooperate with him in this endeavor in every way I can. The plans submitted by the President should become law unless rejected by a constitutional majority of one House of the Congress. During the Eighty-first and Eighty-second Congresses some 30 reorganization plans became law. Billions of dollars have been saved in the fields of military and civilian buying by our Government as a result of these reorganization plans which became the law governing operations of various Government departments and agencies.

Let us not only give President Eisenhower the same reorganization powers President Truman had, but let us help President Eisenhower achieve the same record of accomplishment in this field President Truman did. If we do that, and if the President follows through by submitting to us wise and needed plans, the job of reorganization will virtually be complete.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. JENKINS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1979) to amend the Reorganization Act of 1949 so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1955, pursuant to House Resolution 129, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. DAWSON of Illinois. Mr. Speaker, on that I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 389, nays 5, not voting 38, as follows:

[Roll No. 3]
YEAS—389

Abernethy	Dempsey	Judd
Adair	Derounian	Karsten, Mo.
Addonizio	Devereux	Kean
Albert	D'Ewart	Kearney
Alexander	Dies	Kearns
Allen, Calif.	Dingell	Keating
Allen, Ill.	Dodd	Kelley, Pa.
Andersen,	Dollinger	Kelly, N. Y.
H. Carl	Dolliver	Keogh
Andresen,	Donovan	Kersten, Wis.
August H.	Dorn, N. Y.	Kilburn
Andrews	Dorn, S. C.	Kilday
Angell	Dowdy	King, Calif.
Arends	Doyle	King, Pa.
Aspinall	Eberhart	Kirwan
Auchincloss	Edmondson	Klein
Ayres	Elliott	Kluczynski
Bailey	Engle	Knox
Baker	Evins	Krueger
Bates	Fallon	Laird
Battle	Feighan	Landrum
Beamer	Fenton	Lane
Becker	Fine	Lanham
Belcher	Fino	Lantaff
Bender	Fisher	Latham
Bennett, Fla.	Forand	LeCompte
Bennett, Mich.	Ford	Lesinski
Bentley	Forrester	Long
Bentsen	Fountain	Lovre
Berry	Frelinghuysen	Lucas
Betts	Friedel	Lyle
Bishop	Fulton	McCarthy
Blatnik	Frazier	McConnell
Boggs	Gamble	McCormack
Boland	Garmatz	McCulloch
Bolling	Gary	McDonough
Bolton	Gathings	McIntire
Frances P.	Gavin	McMillan
Bolton,	Gentry	McVey
Oliver P.	George	Machrowicz
Bonin	Golden	Mack, Ill.
Bosch	Goodwin	Mack, Wash.
Bow	Gordon	Madden
Bramblett	Graham	Magnuson
Bray	Granahan	Mahon
Brooks, La.	Grant	Mailliard
Brooks, Tex.	Gregory	Marshall
Brown, Ga.	Gross	Martin, Iowa
Brown, Ohio	Gubser	Matthews
Brownson	Gwinn	Meador
Broyhill	Hagen, Calif.	Merrill
Bryson	Hagen, Minn.	Morrow
Buchanan	Hale	Metcalf
Budge	Haley	Miller, Calif.
Burdick	Halleck	Miller, Md.
Burleson	Hand	Miller, Nebr.
Busbey	Harden	Miller, N. Y.
Bush	Hardy	Mollohan
Byrd	Harris	Morano
Byrne, Pa.	Harrison, Nebr.	Morgan
Byrnes, Wis.	Harrison, Va.	Morrison
Camp	Hart	Moss
Campbell	Harvey	Multer
Canfield	Hays, Ark.	Mumma
Cannon	Hays, Ohio	Neal
Carlyle	Heller	Nelson
Carnahan	Herlong	Nicholson
Carrigg	Heseltan	Norblad
Case	Hess	Oakman
Cederberg	Hiestand	O'Brien, Ill.
Celler	Hill	O'Hara, Ill.
Chatham	Hillelson	O'Hara, Minn.
Chenoweth	Hillings	O'Neill
Chudoff	Hinshaw	Osmers
Church	Hoeven	Ostertag
Clardy	Hoffman, Ill.	Passman
Clevenger	Hollifield	Patman
Cole, Mo.	Holmes	Patten
Cole, N. Y.	Holt	Patterson
Colmer	Holtzman	Pelly
Condon	Hope	Perkins
Coon	Horan	Pfost
Cooper	Hosmer	Phillbin
Corbett	Howell	Phillips
Cotton	Hruska	Pillion
Coudert	Hull	Poage
Cretella	Hunter	Poff
Crosser	Hyde	Polk
Crumpacker	Ikard	Poulson
Cunningham	Jackson	Powell
Curtis, Mass.	James	Preston
Curtis, Nebr.	Jarman	Price
Dague	Javits	Priest
Davis, Ga.	Jenkins	Prouty
Davis, Tenn.	Jensen	Radwan
Davis, Wis.	Johnson	Rains
Dawson, Ill.	Jonas, Ill.	Ray
Dawson, Utah	Jonas, N. C.	Rayburn
Deane	Jones, Mo.	Reams
Delaney	Jones, N. C.	Reed, Ill.

Reed, N. Y.	Shuford	Van Zandt
Rees, Kans.	Sieminski	Velde
Regan	Sikes	Vinson
Rhodes, Ariz.	Simpson, Ill.	Wainwright
Rhodes, Pa.	Simpson, Pa.	Walter
Richards	Small	Wampler
Riehlman	Smith, Kans.	Warburton
Rivers	Smith, Miss.	Watts
Roberts	Smith, Va.	Weichel
Robeson, Va.	Smith, Wis.	Westland
Robson, Ky.	Spence	Wharton
Rodino	Springer	Wheeler
Rogers, Colo.	Staggers	Whitten
Rogers, Fla.	Stanley	Wickersham
Rogers, Mass.	Steed	Widnall
Rogers, Tex.	Stringfellow	Wier
Rooney	Sullivan	Wigglesworth
Roosevelt	Sutton	Williams, N. Y.
Sadlak	Taber	Willis
St. George	Talle	Wilson, Calif.
Saylor	Taylor	Wilson, Ind.
Schenck	Teague	Wilson, Tex.
Scherer	Thomas	Winstead
Scott	Thompson, La.	Withers
Scrivner	Thompson, Mich.	Withrow
Scudder	Mich.	Wolverton
Secrest	Thompson, Tex.	Yorty
Seely-Brown	Thornberry	Young
Selden	Tollefson	Younger
Shafer	Trimble	Zablocki
Sheppard	Utt	
Short	Van Pelt	

NAYS—5

Curtis, Mo.	Hoffman, Mich.	Williams, Miss.
Hébert	Mason	

NOT VOTING—38

Abbitt	Fernandez	O'Brien, N. Y.
Barden	Fogarty	O'Konski
Barrett	Green	Rabaut
Bonner	Harrison, Wyo.	Reece, Tenn.
Boykin	Jones, Ala.	Riley
Buckley	Kee	Sheehan
Chelf	McGregor	Shelley
Chipperfield	Miller, Kans.	Stauffer
Cooley	Mills	Vorys
Dondero	Moulder	Vursell
Donohue	Murray	Wolcott
Durham	Norrell	Yates
Ellsworth	O'Brien, Mich.	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Chipperfield with Mr. Cooley.
Mr. McGregor with Mr. Riley.
Mr. Vorys with Mr. Yates.
Mr. Sheehan with Mr. O'Brien of New York.
Mr. Dondero with Mr. Rabaut.
Mr. Wolcott with Mr. Buckley.
Mr. Vursell with Mr. Green.
Mr. Ellsworth with Mrs. Kee.
Mr. Harrison of Wyoming with Mr. Shelley.
Mr. O'Konski with Mr. Moulder.
Mr. Reece of Tennessee with Mr. Donohue.
Mr. Stauffer with Mr. Fogarty.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMITTEE ON SMALL BUSINESS

Mr. LATHAM. Mr. Speaker, I call up House Resolution 22, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1953, there is hereby created a select committee to be composed of 11 Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to conduct a study and investigation of the problems of small business, existing, arising, or that may arise, with particular reference to (1) whether the potentialities of small business are being adequately developed and, if not, what factors have hindered and are hindering the normal operation of established small business and/or its development

and enterprise; (2) whether agencies, departments of the Government, or Government-owned or controlled corporations are properly, adequately, or equitably serving the needs of small business; (3) whether small business is being treated fairly and the public welfare properly and justly served through the allotments of valuable materials in which there are shortages, in the granting of priorities or preferences in the use, sale, or purchase of said materials; and (4) the solution of the problems of small business during the continuance of the existing national emergency.

The committee may from time to time submit to the House such preliminary reports as it deems advisable; and prior to the close of the present Congress shall submit to the House its final report on the results of its study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any properly designated chairman of a subcommittee thereof, or any member designated by him, and may be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Mr. LATHAM. Mr. Speaker, I yield 30 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. Speaker, I do not think that this resolution requires any extended debate or discussion. It is merely an extension of the Small Business Select Committee of the House. The provisions are exactly the same as those that were written into the law last year. I have no requests for time.

Mr. SMITH of Virginia. Mr. Speaker, as the gentleman from New York has so aptly said, this resolution merely extends the Small Business Committee that has been in operation in the last several Congresses.

I have no requests for time over here. I think the House is unanimously in favor of this committee. If the gentleman from New York desires to move the previous question, I yield back the balance of my time.

Mr. LATHAM. Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Speaker, it gives me a great deal of pleasure to add my voice in support of House Resolution 22 reestablishing the Select Committee on Small Business of the House of Representatives. This committee, in my opinion, has performed outstanding service for the small businessmen of the United States. The work of the Small Business Committee on the materials problem alone would warrant its reestablishment by this House. In fact, the committee has not only rendered yeoman service in the solution of the problems of small business in the field of materials but has performed equal service in practically every phase of business activity. Whether the problem be one of securing

a fair share of Government contracts, or whether it be financing, or whether it be an effort to secure equality of opportunity and basic justice in the problems of small business, the Small Business Committee has never faltered in its objective to render maximum service.

I would like to call the attention of this House to the work of the Small Business Committee in the field of economic controls set up under the Defense Production Act. The field hearings of the committee provided a forum for small-business men when no other competent forum was available. The Small Business Committee, I believe, held some thirty-odd hearings in every geographical section of our country. The hearings were informal and provided an atmosphere of friendliness and cooperation which the small-business man welcomed enthusiastically. Here he was able to tell of his problems in connection with price controls, wage controls, salary controls, materials controls, credit controls, or any other problem which impeded his progress in the business world. These hearings were not empty gestures. The committee came back to Washington and started to work on the problems presented at the hearings. I know first-hand that the record was carefully analyzed and that the problems were taken up with the appropriate agencies and that recommendations were made to the Congress, many of which were enacted into law. I know of this first-hand because of my many, many contacts with the committee, and I have been greatly pleased with the thorough and business-like manner in which the committee tackled the problems of small business.

Now, may I inject a more personal equation into this statement. I have, as I know a majority of the Members of this House have also done, called upon the Small Business Committee for help on the individual problems of many of my small-business constituents. It has been a source of gratification to me to find that these individual problems received immediate and intelligent attention. In every instance when I have called upon the committee for assistance, it has been rendered cheerfully and with a degree of promptness that was most commendable. Moreover, in practically every instance a solution for the individual problem was found.

As I stated in the beginning of these remarks, Mr. Speaker, I am more than happy to add my voice in support of House Resolution 22. I wish the Select Committee on Small Business of the House of Representatives in the Eighty-third Congress every success. Many problems of small business are continuing ones and need the ever-watchful eye of this committee to secure the proper treatment for the small-business man everywhere. I have every confidence that the committee will accept its responsibilities and perform its duties in a manner which will reflect credit upon the entire membership of this House.

Mr. LATHAM. Mr. Speaker, I yield such time as he desires to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Speaker, the Select Committee on Small Business is primarily a service committee which cooperates with Members of Congress in solv-

ing individual problems of small business firms arising in the various districts. This program not only assists the members but enables the committee to secure a cross-section picture of the problems which affect all small business.

The Select Committee on Small Business, in its final report in the Eighty-second Congress, has stated the concept of small business and many of the problems confronting persons engaging in small business today. From that report I have extracted the following remarks—I am sure the membership of the House will find them interesting:

The great majority of American business firms are small. Excluding agriculture, the Bureau of Census estimated that there were at the close of 1951 a total of 3,991,200 business firms in operation in the United States. Of these, approximately 1,686,000 were in retail trade; 855,000 were in service industries; 366,000 were in construction; 349,000 were in finance, insurance, and real estate; 303,000 were in manufacturing; 204,000 were in wholesale trade; and the remainder were in mining, transportation, communications, and miscellaneous industries.

On the basis of 1939 figures, only 3.5 percent of the retail stores had annual sales in excess of \$100,000. More than half had sales below \$10,000. Over 1,600,000 units, 91 percent of the total, employed fewer than 100 persons. Only about 100,000 of these firms were incorporated.

In manufacturing, the distribution in 1947 of 240,881 firms according to number of employees was as follows:

TABLE 1.—Size of firms according to number of employees (1947)

Number of employees	Actual number		Percent of total	
	Number of establishments	Number of employees (000)	Number of establishments	Number of employees
1 to 4.....	70,384	161.0	29.2	1.1
5 to 9.....	46,622	310.9	19.4	2.2
10 to 19.....	40,645	561.9	16.9	3.9
20 to 49.....	40,016	1,243.8	16.6	8.7
50 to 99.....	18,672	1,300.8	7.8	9.1
100 to 249.....	14,323	2,228.7	5.9	15.6
250 to 499.....	5,555	1,929.9	2.3	13.5
500 to 999.....	2,729	1,869.4	1.1	13.1
1,000 to 2,499.....	1,431	2,146.1	.6	15.0
2,500 and over.....	504	2,541.8	.2	17.8
Total.....	240,881	14,294.3	100.0	100.0

NOTE.—The number of employees shown is an average for the year.

Sources: Bureau of the Census; computations by the Conference Board.

It thus appears that only about 500 firms, two-tenths of 1 percent of the total, employ 2,500 or more persons. Only about 4,200 firms employ 500 or more. These constitute only about 2 percent of the total.

MILITARY PROCUREMENT

There is a strong tendency in a period of industrial mobilization for Government procurement to favor the large firm over the small. During World War II, 51 percent of all prime contracts went to 33 corporations, each of which received \$1,000,000,000 or more. The need for large physical resources, engineering skill, ability to experiment, and overall productive capacity encourages the utilization of the larger firms. Procurement officials follow the line of least resistance and concentrate the placing of contracts with a few large producers and allow the prime contractors to deal with the smaller concerns on a subcontracting basis. The larger concern is in addition much better equipped to handle negotiations with the Government than the small enterprise.

This tendency to utilize the large concern has many indirect effects that work to the hardship of small business. New plants are built and existing facilities expanded under especially favorable circumstances, frequently at Government expense. In World War II the 250 largest corporations operated 79 percent of all new plant facilities built with Federal funds and operated by private industry. The prime contractor is given first claim to scarce materials which he doles out to his subcontractors. Acquisition of new capital is facilitated by Government loans. Virtually every aspect of Government procurement during periods of defense mobilization imposes undue hardships on small business.

PRICE AND WAGE CONTROLS

The controls necessary to mobilize industry effectively also frequently place small business at a competitive disadvantage. It is very difficult to avoid leaving scars on our economy, the deepest of which appear on small business. Regulations such as those controlling prices, wages, and the utilization of scarce materials are themselves violative of the principles of free enterprise. The fact must never be forgotten that although they may be necessary for the safety of the country, they do mean a definite even though temporary departure from free competition. Unless great care is exercised in framing regulations, therefore, serious damage may be done to small business. Many instances can be cited to illustrate this. Numerous price regulations, for instance, have continued unfair trade practices in determining prices. The danger here is in perpetuating what can become a serious threat to competition. Again, several price regulations have endorsed follow-the-leader practices. In fact, the general ceiling price regulation ties the price of a seller of new commodities to those of the most closely competitive seller. Several regulations have established ceilings on the basis of maintained resale prices. Unless price relationships are carefully adjusted, price squeezes appear at various stages of the productive process.

SCARCE MATERIALS

Likewise in the area of control of materials, the small firm is placed in jeopardy. The basic fact is that a free market in these materials ceases to exist once an elaborate scheme of control such as the Controlled Materials Plan is instituted. Furthermore, the practice of channeling many materials to subcontractors through prime contractors gives the latter the power of life or death over the small-business man who becomes dependent on his large prime contractor for the materials necessary to remain in operation. Unless checked, material controls generally encourage integrated operation, affiliations with large concerns, and favoritism in the placement of orders. All of these enhance the power of the large suppliers.

TAXATION

In normal times the typical small firm depends upon the savings of the owner for its inception and upon the earnings of the company for future development of the business. The impact of high tax rates on current business earnings has not only affected the operating position of the small concern with regard to the defense period, but may impair its future status. The high surtax on low levels of corporate earnings and the excess profits tax have hindered small concerns in their accumulation of sufficient funds from profits to finance working capital and investment requirements. In many ways the small business bears a greater tax burden than the large concern. While some recognition has been made in the tax laws of the financial difficulties of small business, additional revisions are needed to erase tax inequities and to remove the relatively large tax burden imposed on small enterprises.

SMALL BUSINESS AND THE COMPETITIVE SYSTEM

The essence of the American economic system of private enterprise is free competition. Only through competition can a free market, free investment opportunity, free entry into industry—in a word, free enterprise—survive. This has long been the basic principle of American governmental policy toward industry and was stated succinctly in a recent Supreme Court opinion, which said, "The heart of our national economic policy long has been faith in the value of competition." Competition is the basic regulator of economic activity and the only device that enables us to avoid complete governmental regimentation.

Small-business enterprise provides the most fertile soil in which healthy competition may flourish. Small and independent business supplies the strength and vigor so necessary to the growth of our competitive forces. There is no better assurance of our ability to maintain competition than a flourishing community of small and independent business enterprises. Any development which makes it more difficult for efficient small firms to survive strikes a blow at competition.

Just as small business provides a favorable economic climate for the development of healthy competition, so competition is the greatest safeguard for small business. Small business needs freedom of entry into new industries and occupations. It demands freedom to start and freedom to grow. It is dependent on personal initiative and the individual judgment of its owner. It must be free of controlled prices and restrictive practices of all kinds.

LEGISLATION AFFECTING SMALL BUSINESS

As the role of Government becomes more and more intimately connected with the operation of American business, the importance of Federal agencies concerned with small business has proportionately increased. Today the Reconstruction Finance Corporation, the Small Defense Plants Administration, the National Production Authority, the Economic Stabilization Agency (OPS, WSB, SSB), the Defense Production Administration and the Munitions Board, among others, are affecting the operation of every small business, and especially so if a particular business deals with the Government in its tremendous procurement program.

Through the years the Congress has taken a direct and specific interest in small business and its problems, dating back to the earliest tariff laws and to such fundamental antitrust legislation as the Sherman Act of 1890. Over 80 bills were introduced in the Eighty-second Congress having a direct bearing on antitrust, monopoly, or small business. That this Congress saw fit to consider very few of the proposals presented to it, and to actually enact even fewer, does not necessarily indicate a disinterestedness on the part of Congress nor a lack of importance of the measures themselves. But it does indicate that many problems worthy of solution remain unsolved.

Mr. LATHAM. Mr. Speaker, I yield such time as he may desire to the gentleman from Colorado [Mr. CHENOWETH].

Mr. CHENOWETH. Mr. Speaker, I am happy to support the resolution continuing the Select Committee on Small Business. I feel that this committee in past years has done a good job and there is a definite need for its activities at the present time.

I am happy and proud to note that my distinguished colleague from Colorado [Mr. HILL] is to be the new chairman of this important committee. Mr. HILL has served on this committee for many years and has been a most active

and prominent member. I am sure that under his able direction this committee will be of even more service to the small-business man of the country.

It should be obvious to everyone that the small-business man is in need of all of the assistance we can give him. During a period like this, when huge purchases are being made for our military services, it is natural that most of these purchases are made from large companies. It is much easier for a procurement officer to make a purchase from one company than it is to buy the same amount from 10 small companies. However, in the interest of protecting the economy of our Nation, I feel that more attention should be given to the small concern so that it may participate in this program. I am hoping that the committee will give more study to this problem in the coming months, to the end that the smaller contractors and industrial plants may receive a greater share of the defense purchases.

Mr. GROSS. Mr. Speaker, I rise in support of the resolution.

According to latest official figures, 100 large, favored corporations have cornered 62 percent of the dollar value of all military contracts let in the continental United States.

At the tail end of this situation, small business is receiving only 19 to 24 percent of the dollar value of such military contracts.

These official figures document the virtual freeze-out of small business in recent years, and make clear the need for a watchdog committee in the interest not only of small business but of the taxpayers.

Look at Munitions Board Report 3-A. Here we see that an astounding average of about 80 percent of the dollar value of all military contracts are negotiated or cost-plus instead of let on a competitive basis. As I have said before in this House, how can the taxpayers obtain dollar-for-dollar value, much less any bargains, without competitive bidding?

If the House Select Committee on Small Business can channel into competitive bidding even one fair-sized contract, slated to be dished out on a juicy negotiated or cost-plus basis, it will save so much, over and above the cost of its existence under this resolution, that it will amount to a gilt-edge investment for the taxpayers.

Let us keep this committee in business, and, in so doing, provide at least an opportunity to derail some of these negotiated, cost-plus gravy trains which make hamburger out of small business and the taxpayers.

Mr. LATHAM. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 22, Eighty-third Congress, the Chair appoints as members of the Select Committee To Conduct a Study and Investigation of the Problems of Small Business the following Members of the House: Mr. HILL, Colorado, chairman; Mr. RIEHLMAN, New York; Mr. SEELY-BROWN, Connecticut; Mr. McCULLOCH, Ohio; Mr. SHEEHAN, Illi-

nois; Mr. HOSMER, California; Mr. PATMAN, Texas; Mr. EVINS, Tennessee; Mr. MULTER, New York; Mr. YATES, Illinois; Mr. STEED, Oklahoma.

PROVIDING FOR AN UNDER SECRETARY OF STATE (FOR ADMINISTRATION)

Mr. SMITH of Wisconsin. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 243) to amend Public Law 73, Eighty-first Congress, first session (63 Stat. 111), to provide for an Under Secretary of State (for Administration).

The Clerk read the title of the bill.

Mr. HALLECK. Mr. Speaker, will the gentleman withhold his motion for a moment?

Mr. SMITH of Wisconsin. Yes.

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, the matter that is before us is here under a unanimous-consent agreement entered into the other day for the consideration of the measure under the ordinary rules of the House. Unless there are Members who desire to make some remarks in respect to this bill, it occurs to me that, since the bill, as I understand, was unanimously reported by the Committee on Foreign Affairs, it could be passed under a unanimous-consent request for its immediate consideration.

Mr. SMITH of Wisconsin. I have no objection to that procedure. The bill was unanimously reported by the Committee on Foreign Affairs. It relates to the authorization of the appointment of an Under Secretary of State.

Mr. HALLECK. I see here the gentleman from South Carolina [Mr. RICHARDS], who I know is interested in the matter. He is the ranking Democrat of the committee. I wonder if he would express his wishes in respect to the matter. I would assume, of course, Mr. Speaker, that anyone desiring to extend his remarks in connection with this measure could extend them at this point in the RECORD.

Mr. RICHARDS. I have no disposition to object to such a unanimous-consent request.

Mr. RAYBURN. Why does not the gentleman from Indiana make a unanimous-consent request that the bill be considered in the House as in the Committee of the Whole. That would obviate the rule matter, and anyone who desires to offer an amendment by way of striking out the last word would be able to do so in the House as in Committee of the Whole, and it would obviate general debate also.

Mr. HALLECK. May I say to the gentleman from Texas, if we adopted that procedure, although I take it there would be no objection if someone would object, then we would be faced with the necessity of keeping 218 Members here in order to maintain a quorum. If I put the unani-

mous-consent request, I take it that under a reservation of objection with respect thereto brief remarks might be made and extensions of remarks might be made if that be deemed desirable.

Mr. RICHARDS. Mr. Speaker, I just want to point out that there is no disposition on my part as ranking minority member of the Committee on Foreign Affairs to oppose this bill, but I do feel that the House should know what it is doing. I feel that the House should be informed as to the action taken by the Committee on Foreign Affairs and why our committee took that action because this is a pretty important matter. If there is any way under regular parliamentary procedure that I can call a few matters to the attention of the House without prolonging debate, I will certainly be willing to cooperate.

Mr. SMITH of Wisconsin. Mr. Speaker, I renew my motion.

The SPEAKER. The question is on the motion of the gentleman from Wisconsin [Mr. SMITH].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 243) to amend Public Law 73, Eighty-first Congress, first session (63 Stat. 111), to provide for an Under Secretary of State (for Administration), with Mr. KEATING in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SMITH of Wisconsin. Mr. Chairman, I will not take up much of the time of the Committee except to explain the bill briefly. This matter is before us in the form of a bill passed by the other body. It was passed by the Committee on Foreign Affairs with an amendment. This bill amends Public Law 73 of the Eighty-first Congress to authorize the appointment by the Secretary of State of an Under Secretary of State for Administration. There would be the Secretary of State, the Under Secretary, and then this additional Under Secretary. His responsibility would be comparable to a general manager of the Department. In other words, he would have jurisdiction over the personnel, and over the internal operations of the Department. The request for this additional Under Secretary comes as a result of a condition which has been recognized by the public over the years, namely, that there is need for a close look at the organization and operation of the State Department.

What the committee amendment does is merely to determine the line of succession. Policy matters will be handled by the Under Secretary—not the individual who will occupy this new position of Under Secretary for Administration.

Among the responsibilities of the new Under Secretary will be the review, evaluation, and operation of the loyalty and security programs. He will make a careful examination of the budget to assure that it is adequate but not excessive. He will assure the coordination of the Technical Cooperation Administration and the International Information Administration with related programs of the Department and with other agencies. The committee was unanimous in feel-

ing that the Secretary of State ought to have this additional office. In these critical days it is necessary for the Secretary to be away about 50 percent of the time. In his absence the Under Secretary is called upon to act in his place. This second Under Secretary would not deal in matters of policy. His will be a purely administrative job.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from Iowa.

Mr. GROSS. Does that mean now that there are only two Under Secretaries of State?

Mr. SMITH of Wisconsin. There is only one.

Mr. GROSS. And there would be one additional?

Mr. SMITH of Wisconsin. There would be one additional.

Mr. GROSS. How many Assistant Secretaries of State?

Mr. SMITH of Wisconsin. There are 10.

Mr. GROSS. It is here proposed to create another Under Secretary of State, to be paid \$17,500. How much more in clerical help will be asked to support this office?

Mr. SMITH of Wisconsin. No more. As a matter of fact, the office of Ambassador at Large which Mr. Jessup held has been abolished. That was a \$25,000 job. This position pays \$17,500, so that from a monetary standpoint we are saving money on this operation.

Mr. GROSS. So that by the creation of this job and by the elimination of the other job we would be saving the magnificent sum of \$5,000, approximately?

Mr. SMITH of Wisconsin. It is a saving.

Mr. GROSS. A very small saving.

Mr. SMITH of Wisconsin. I think this is a position that should be created to insure more efficient administration.

Mr. GROSS. I will say to the gentleman that I thought the Republican Party was out to eliminate a lot of jobs instead of creating jobs. As far as I am concerned, I am opposed to it.

Mr. SMITH of Wisconsin. May I remind the gentleman that the office is for 2 years, unless the Secretary determines that the job has been done before that.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from New York.

Mr. ROONEY. I would like to ask the gentleman whether or not this new employee at \$17,500 a year is to have a secretary or is he to work without one?

Mr. SMITH of Wisconsin. I suppose he is to have one.

Mr. ROONEY. How many?

Mr. SMITH of Wisconsin. I do not know.

Mr. ROONEY. Does not the gentleman realize that under the provisions of this pending legislation you are setting up a whole new echelon in the State Department, to do work that was formerly done by one man?

Mr. SMITH of Wisconsin. Unfortunately it was never done.

Mr. ROONEY. What was never done?

Mr. SMITH of Wisconsin. The Department is in a mess. We have heard all about this mess.

Mr. ROONEY. Well, the Department is now in the hands of the gentleman's party. We shall see what mess there is. But we are talking about setting up an entirely new echelon in the State Department. May I ask the gentleman whether or not this is pursuant to the recommendations of the Hoover Commission, or whether or not it is contrary to the recommendations made by the Hoover Commission.

Mr. SMITH of Wisconsin. I cannot answer that question because the matter was not discussed, but this does not call for more money. It is within the appropriations as they exist today.

Mr. ROONEY. The gentleman says the job does not call for more money? You are not setting up a new job for \$17,500 a year without setting up a whole new echelon. The gentleman knows that.

Mr. SMITH of Wisconsin. The testimony we have had does not indicate that.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield to the gentleman from Minnesota.

Mr. JUDD. Was not the testimony before our committee that the new Secretary said that the Secretaries were so harassed by administrative matters that they did not get a chance to study matters of organization, which is the first job we want to think about for efficiency. He asked for this man temporarily to go in there and take a fresh look at the Department. He was convinced that if this were done, we could reduce many operations of the Department. If personnel in the Department is to be reduced, an expert should be brought in to make a careful study, rather than depend on people who are involved in it to clean up themselves.

Mr. SMITH of Wisconsin. That is exactly right. Testimony before our committee showed that the Secretary was so absorbed in policy questions that he could not study administrative programs. That is the testimony on the part of the men who are presently in the Department.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. GROSS. Who is the expert who is supposed to be hired to fill this job?

Mr. SMITH of Wisconsin. I can only repeat from hearsay: A gentleman by the name of Lourie.

Mr. JUDD. Donald Lourie, president of the Quaker Oats Co., in the gentleman's own district.

Mr. GROSS. It is not in my district. Does being president of the Quaker Oats Co. qualify him to be Under Secretary of State?

Mr. JUDD. No; but he has demonstrated the qualities to be a successful administrator of a large establishment.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Wisconsin. I yield.

Mr. ROONEY. Will the gentleman assure the House that the filling of this new position by an officer from Quaker

Oats is not going to require the employment of additional personnel in the Department of State to work under him?

Mr. SMITH of Wisconsin. I am going to leave that to the Appropriations Committee.

Mr. ROONEY. But the gentleman wants to authorize this man to have a desk at \$17,500 a year to do work that has been carried on by one man.

Mr. SMITH of Wisconsin. He will have the desk that Mr. Jessup had.

Mr. RICHARDS. Mr. Chairman, I want to say for the benefit of the committee that I intend to support this bill. I think the committee knows what it is doing. I have an idea that if this bill had come up last year you would have really heard something in this House. As a matter of fact, this bill does something for the new President and the new Secretary of State, both fine, patriotic Americans, and both, I am sure, intend to do what they think is best for this country. They are coming here and asking this Congress right off to create a new Under Secretary. I think they have pretty good grounds for this action.

As things stand now, we have a Secretary of State and an Under Secretary of State, and 10 Assistant Secretaries of State. I think the new administration should justify a request for the creation of an additional high-level job when they make it, and I think they have justified this request. As a matter of fact, as has just been said, everybody knows the Secretary of State now cannot do the job that is sought to be done here; in the first place, he is out of the country half the time dealing with United States responsibility in world affairs. When he goes out of the country the Under Secretary of State takes his place and has all policy matters under his control. What time is he going to get to attend to the administrative details of the Department and to clean out anything down there that is wrong?

Mr. Acheson, the former Secretary of State, whom I think will go down in history as one of the greatest Secretaries of State this country has ever had, had a hard time because he did not have time to devote his attention to administrative details in the Department; and neither did his Under Secretary of State have time.

I think Mr. Dulles is on the right track when he says he wants a man who can do the jobs that he is going to be unable to do in view of his duties as Secretary of State.

As far as saving money is concerned, that is a horse of another color. Even if this bill does not save money, I think it would still be a good thing. This new Under Secretary of State will be paid \$17,500 a year. Each one of the Assistant Secretaries of State is now paid \$15,000. They have been operating down there with two Deputy Under Secretaries of State whom I think receive \$15,000.

It was said that we would save money because Mr. Jessup, Mr. Truman's roving Ambassador, has been let go. I do not know about that; all I know is that we are providing in this bill \$17,500 for a new Under Secretary of State, and I do not know that President Eisenhower is not going to appoint him a roving Am-

bassador and pay him \$25,000, which he can do under existing legislation. I am not basing my support on the claim that this is in the interest of economy; I am basing it on the claim that it is in the interest of orderly government and orderly procedure in the State Department.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. RICHARDS. I yield.

Mr. GROSS. I would suggest to the gentleman that if these Secretaries of State would stay home and attend to the business of this country there would be more money in the United States Treasury.

Mr. RICHARDS. Well, maybe so. May I say that they have had John Peurifoy down there trying to do the job, and he did a wonderful job before he left to become our Ambassador to Greece. They have had Carlisle Humelsine as Deputy Secretary of State. He has done a fine job and has made a lot of progress. They have had Mr. Webb, who had to get into policy matters while Secretary Acheson was away, and, therefore, did not have time to go into the field of administration to the extent he would have liked to. Mr. Bruce has been a particularly able Under Secretary, and I am sure he wanted to do more than he was able to improve the organization and operation of the Department. All these men have made good records for themselves. I believe Mr. Dulles, if given a fair chance, will make a great record for himself. I believe it is in the interest of the United States to provide this Under Secretary; but let us not do it in the guise of economy, because you are not economizing. That is all there is to it. If you pass this bill you are going to do it because you feel it is a good investment. It is entirely possible that it will cost \$25,000 more than you are paying now for the same kind of service. I do not know that the President will not exercise the right that he has to appoint somebody in Mr. Jessup's place.

I hope every Member of the House will vote for this bill, but I want you to do it with your eyes open.

Mr. SMITH of Wisconsin. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan [Mr. BENTLEY].

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New York.

Mr. ROONEY. May I ask the gentleman, is there also to be set up a position to be known as Assistant Deputy Under Secretary for Administration?

Mr. BENTLEY. No.

Mr. ROONEY. Is that contemplated?

Mr. BENTLEY. No.

Mr. ROONEY. Do you mean to say that this man is not to have an assistant, the man who is going to fill this job?

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield to the gentleman from New York.

Mr. ROOSEVELT. I believe the testimony before the committee was that Mr. Humelsine, who is technically an Assistant Secretary today, holding the title of Deputy Under Secretary for Administra-

tion, would resume his title as Assistant Secretary for Administration under the new Under Secretary for Administration.

Mr. BENTLEY. That is my understanding.

Mr. ROOSEVELT. So that you will have an Under Secretary for Administration, you will have an Assistant Secretary for Administration, and you will have, as the gentleman from New York [Mr. ROONEY] said earlier, an entirely new echelon to be administered by a new Deputy Under Secretary.

Mr. BENTLEY. That is possibly so.

Mr. Chairman, as a freshman Member of the House, I certainly intend to be as brief as possible in my remarks on the consideration of S. 243 which creates the post of an Under Secretary of State for Administration. I would not even presume upon the time of my colleague were it not for the fact that I consider that more than 8 years of service with the State Department and the Foreign Service enable me to speak with at least a relative amount of experience in this field.

On the basis of these 8 years' service, there is not the slightest doubt in my mind that a tremendous job of reorganization is badly needed within the Department of State, the Foreign Service, and related special programs. Such a task cannot and should not be the direct responsibility of the Secretary nor even of the permanent Under Secretary. If we want Mr. Dulles and General Smith free to perform their most urgent responsibilities and duties, they should and must be permitted to formulate and execute over-all foreign policy without being burdened by the details of organization and administration.

However, these details are too weighty and the job to be done is too important for 1 of the 10 Assistant Secretaries. The job will require the full time of a top-level man who is free to devote his entire energy to the important task of pruning, cutting, and reorganizing where such functions have to be performed.

S. 243 provides for an initial 2-year tenure of office for the position we are presently considering. I believe this time to be sufficient to organize our foreign-relations activities in a satisfactory manner. I certainly do not want this to be considered a permanent State Department job.

My own service in the State Department convinced me of the urgent need for reorganization in the name of economy and improved service. I am equally convinced that such reorganization can only be accomplished by the creation of this temporary position. Mr. Chairman, I strongly urge the passage of S. 243 as amended in our committee to establish the order of precedence in the State Department.

Mr. SMITH of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. ROOSEVELT].

Mr. ROOSEVELT. Mr. Chairman, I think there is a reasonable argument in favor of this legislation.

Although I do think that I am accurate when I say that there was no great enthusiasm in the Committee on Foreign Affairs for this proposal, we unanimously went along with it because it was the

considered judgment of all members of the committee to give the new administration at its inception the tools it thinks it needs. The most important argument that was presented to us, and which has not yet been mentioned by my colleagues, was that the job of reorganizing and of pruning within the Department of State and of cutting down on the requests for reports by other Departments cannot be handled by a Deputy Under Secretary or by an Assistant Secretary, because they lack the prestige. If you will remember, throughout our hearings, the word prestige came up frequently. Mr. Dulles and Mr. Humelsine in their testimony stated that the Under Secretary would have sufficient prestige.

I personally do not think that the creation of an Under Secretary is the only way and certainly not the most economical way of reorganizing the Department of State. But I am going along although reluctantly, because of this question of prestige that they consider so important. In other words, Mr. Lourie must be able to have that prestige of a title when he goes over to talk to Mr. Wilson of the Defense Department.

For these reasons, I will support this legislation very reluctantly. But I do not think this is a measure of economy.

Mr. SMITH of Wisconsin. Mr. Chairman, I yield 1 minute to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Chairman, I think this is a case very much like the Hoover Commission case where money had to be invested in order to save money. Now if we are spending \$17,500 or even \$25,000, and it will cut down an enormous amount of waste in the State Department, which every foreign traveler on both sides of the aisle has reported, that is not only a good investment but it is what we did with the Hoover Commission. If that is the preferable way, we are putting a man in charge who has had great experience in business, and thereby cut out waste and, further, it will bolster the foreign policy of the United States.

Mr. SMITH of Wisconsin. Mr. Chairman, I yield myself 1 minute for the purpose of reading into the RECORD a statement by Mr. Humelsine, who was Deputy Undersecretary of State, which you will find on page 2 of the hearings:

There has been continual need for better organization in the Department of State—better organization than it has today. I believe that there could be economies practiced in the Department of State beyond those that we have been able to put into effect in the past years. This would create an Under Secretary who would spend his whole time looking at the problems of the Department of State and trying to see that it was organized properly. He would try to carry out reorganizations where they were necessary, and he would have the authority to see that point 4 was properly managed and operated; to see that the information program was properly managed and operated.

In a nutshell, that is the desire of the administration—to have a man that can do that job.

There is no position in the Department of State at the present time that will allow that sort of a job to be performed.

Mr. Chairman, I yield 1 minute to the gentleman from Iowa [Mr. GROSS].

Mr. GROSS. Mr. Chairman, this is one of the most interesting things I have seen in the House of Representatives in the 4 years I have been a Member. Here today are the Democrats on the Committee on Foreign Affairs gaily going along with the creation of a new job in the State Department at \$17,500 a year, plus a staff, to take out of the State Department the lard they put in.

Mr. SMITH of Wisconsin. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Chairman, I want to say this to the Members of the House. The kind of man you get for this job is far more important than the question of creating the job. The kind of man this administration needs, if it will take my humble advice, is not a man who has made \$5,000,000 from the invention of a rat trap or something like that and shown his ability only in that field. It should not be some academician or someone already in the Department. You need a double-barrelled man, a man who has proven his business ability, a man that knows something about the State Department and the Foreign Service, so he will not find himself in a dead-end street down there as have a good many of his predecessors.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act of May 26, 1949 (63 Stat. 111; 5 U. S. C. 151a), is hereby amended by adding at the end thereof the following:

"Until December 31, 1954, unless the office shall be abolished sooner by the President, there shall be in the Department of State a second Under Secretary of State (for Administration) who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary of State (for Administration) shall receive compensation at the rate of \$17,500 per annum, and shall perform such duties and exercise such administrative powers as the Secretary of State may prescribe."

With the following committee amendment:

Page 1, after line 5, strike out the remainder of the page and all of page 2 down to and including line 4, and insert the following:

"Until December 31, 1954, unless the office shall be abolished sooner by the President, there shall be in the Department of State an Under Secretary of State for Administration who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall take precedence in the Department of State next after the Secretary and the Under Secretary. The Under Secretary of State for Administration shall receive compensation at the rate of \$17,500 per annum, and shall perform such duties and exercise such administrative powers as the Secretary of State may prescribe."

Mr. DIES. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DIES to the committee amendment: On page 2, line 13, after "rate of", strike out "\$17,500" and insert "\$12,500."

Mr. DIES. Mr. Chairman, I have offered this amendment because for a long time Congress has been creating jobs and paying salaries that are consider-

ably higher than the salaries received by Members of the House and of the Senate.

When I came to Congress in 1931 a Congressman or a Senator got \$10,000 a year and paid \$250, approximately, in income tax. The purchasing power of his \$9,750 would buy in Washington more than \$20,000 will buy now. I bought a 3-story brick house near Sixteenth Street for \$8,800, \$1,250 down and \$40 a month.

Coming back to Washington after 8 years, I find that Members of the House and of the Senate are underpaid or else the bureaucrats are overpaid. I cannot understand why they want to create jobs and pay \$17,500 to men in the departments when we pay ourselves \$12,500. I do not think there ought to be anybody in the Government outside of the President, and possibly the Vice President, who should receive more than Members of the House and of the Senate.

As a matter of fact, most of the stupid errors that have occurred have been the result of executive mismanagement. In my judgment, the composite judgment of this House is superior to the judgment of the executive branch of our Government.

As a result of my own service here, and the fact that my father was a Member of Congress for many years, I found out that the average Congressman who serves on a committee and the average committee is far better informed on any economic or political question than the average man who is imported to the executive department and heralded as a brain trust. I think we ought to restore the dignity and prerogatives of the House of Representatives. As a matter of fact, if we had asserted our prerogatives and our independence 15 years ago, we would have spared this country some of the tragic errors that have occurred. So I think it is a good beginning to establish a precedent. If you are going to create executive officers, then they ought not to receive any more money than the Senators and the Representatives. Let us put a ceiling on it. A ceiling that will require them to live on the same salary and the same income as Members of the Congress of the United States. We have a responsible job. Our cost of living is just as high as the cost of living of the average bureau chief. I never could understand why we have an inferiority complex about our service here. We have literally wasted billions of dollars all over the earth, and we have never been reluctant to vote billions of dollars for appropriations. We have people traveling all over the earth, enjoying almost unlimited expense accounts. We have not been economical in our dealings with the executive department. We gave the President \$50,000 tax exemption which was equivalent to almost one-half million dollars of income. It would seem to me, therefore, that we have a splendid opportunity this afternoon to establish a precedent, which we ought to follow from now on, and that is to limit the salary and the income of every agent or every officer that we create to the sum of \$12,500. I offer this amendment in good faith, and with the earnest hope that it will be adopted.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield.

Mr. HALLECK. I think the gentleman has done us a great service in calling our attention to some of these matters, but I trust that his amendment does not prevail because it may be that he has the cart before the horse. However, I do want to commend the gentleman for calling these matters to the attention of the Congress and the country.

Mr. DIES. I appreciate the commendation, but still the logic of the situation is with me. If we serve here as Members of the Congress and of the other body for \$12,500, and if we are adequately paid, and our jobs are as responsible as they are, then it seems to me the Under Secretary of State ought to serve for the same money.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Dies].

The question was taken; and on a division (demanded by Mr. Dies), there were—ayes 55, noes 91.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, while he is not of the same political party as I am, he is a personal friend of mine. Friendship to me transcends the middle aisle, as it does with all of us. Certainly I try to follow that policy. My friends are my friends, without regard to their political affiliations, racial origin, or religion, or anything else.

I was very pleased to note recently that one of our former colleagues who served in this House with ability, distinction, and courage was appointed to the responsible position of Assistant Secretary of State for liaison with Congress. I refer to our good friend Thruston Morton from Kentucky. That brought great pleasure to me. My years of association with him, I think he was here 6 years, were most pleasant. He was a valued Member of this House. He did not seek reelection. He gave to this House the benefit of his knowledge and experience. He gained in this House experience which he will carry with him into his new position of responsibility. I congratulate President Eisenhower and Secretary Dulles in appointing Thruston Morton. I sincerely hope that in his new position he will have every happiness and success.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. SMITH of Wisconsin. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KEATING, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 243) to amend Public Law 73, Eighty-

first Congress, first session (63 Stat. 111) to provide for an Under Secretary of State (for Administration), had directed him to report the bill back to the House, with an amendment, with the recommendation that the amendment be agreed to and the bill as amended do pass.

Mr. SMITH of Wisconsin. Mr. Speaker, I move the previous question on the bill and amendment thereto to final passage.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read the third time, and was read the third time.

The question is on the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. GROSS. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and eighty-four Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 342, nays 18, not voting 72, as follows:

[Roll No. 4]

YEAS—342

Adair	Busbey	Elliott
Addonizio	Bush	Engle
Allen, Calif.	Byrne, Pa.	Feighan
Allen, Ill.	Byrnes, Wis.	Fenton
Andersen,	Campbell	Fino
H. Carl	Canfield	Fisher
Andresen,	Carlyle	Forand
August H.	Carnahan	Ford
Andrews	Carrigg	Forrester
Angell	Cederberg	Frazier
Arends	Celler	Frelinghuysen
Aspinall	Chatham	Fulton
Auchincloss	Chenoweth	Gamble
Ayres	Chudoff	Gary
Balley	Church	Gathings
Baker	Clevenger	Gavin
Bates	Cole, Mo.	Gentry
Battle	Cole, N. Y.	George
Beamer	Colmer	Goodwin
Becker	Condon	Gordon
Belcher	Coon	Granahan
Bender	Cooper	Grant
Bennett, Fla.	Coubert	Gregory
Bennett, Mich.	Cotton	Gubser
Bentley	Coudert	Gwinn
Bentsen	Cretella	Hagen, Calif.
Berry	Crosser	Hagen, Minn.
Betts	Crumpacker	Hale
Bishop	Cunningham	Haley
Blatnik	Curtis, Mass.	Halleck
Boggs	Curtis, Mo.	Hand
Boland	Curtis, Nebr.	Harden
Bolling	Dague	Hardy
Bolton,	Davis, Ga.	Harrison, Nebr.
Frances P.	Davis, Tenn.	Harrison, Va.
Bolton,	Davis, Wis.	Hart
Oliver P.	Dawson, Utah	Hays, Ark.
Bonin	Deane	Hébert
Bosch	Delaney	Heller
Bow	Dempsey	Herlong
Bramblett	Derounian	Heseltun
Bray	Devereux	Hess
Brooks, La.	D'Ewart	Hiestand
Brooks, Tex.	Dies	Hill
Brown, Ga.	Dodd	Hillelson
Brown, Ohio	Dolliver	Hillings
Brownson	Donovan	Hinshaw
Broyhill	Dorn, N. Y.	Hoeven
Bryson	Dorn, S. C.	Hoffman, Ill.
Buchanan	Doyle	Hoffman, Mich.
Budge	Eberharter	Holmes
Burleson	Edmondson	Holt

Holtzman	Morrow	Schenck
Hope	Metcalf	Scherer
Horan	Miller, Calif.	Scott
Hosmer	Miller, Md.	Scrivner
Howell	Miller, Nebr.	Scudder
Hruska	Miller, N. Y.	Secrest
Hunter	Mollohan	Seely-Brown
Hyde	Morrison	Selden
Ikard	Moss	Shafer
Jackson	Multer	Sheppard
James	Mumma	Short
Jarman	Neal	Sieminski
Jensen	Nelson	Sikes
Johnson	Nicholson	Simpson, Ill.
Jonas, Ill.	Norblad	Smith, Kans.
Jonas, N. C.	Norrell	Smith, Miss.
Jones, Mo.	Oakman	Smith, Va.
Judd	O'Brien, Ill.	Smith, Wis.
Karsten, Mo.	O'Hara, Minn.	Spence
Kean	O'Neill	Staggers
Kearney	Osmer	Stanley
Kearns	Ostertag	Steed
Keating	Passman	Stringfellow
Kelley, Pa.	Patman	Sullivan
Kelly, N. Y.	Patten	Sutton
Keogh	Patterson	Taber
Kersten, Wis.	Pelly	Talle
Kilburn	Pfost	Taylor
Kilday	Phillips	Teague
King, Calif.	Phillips	Thompson, La.
King, Pa.	Pillion	Thompson, Mich.
Kirwan	Poage	Thornberry
Kluczynski	Poff	Tollefson
Knox	Polk	Trimble
Krueger	Poulson	Utt
Laird	Preston	Van Pelt
Landrum	Price	Van Zandt
Lane	Priest	Velde
Lanham	Prouty	Wainwright
Lantaff	Radwan	Walter
Latham	Rains	Wampler
LeCompte	Ray	Warburton
Lesinski	Rayburn	Watts
Long	Reams	Weichel
Lovre	Reed, Ill.	Westland
Lyle	Reed, N. Y.	Wharton
McCarthy	Rees, Kans.	Whitten
McConnell	Regan	Wickersham
McCormack	Rhodes, Ariz.	Widnall
McCulloch	Rhodes, Pa.	Wigglesworth
McDonough	Richards	Williams, Miss.
McIntire	Riehlman	Willis
McMillan	Rivers	Wilson, Calif.
McVey	Roberts	Wilson, Ind.
Mack, Ill.	Robeson, Va.	Winstead
Mack, Wash.	Robson, Ky.	Withers
Madden	Rodino	Withrow
Magnuson	Rogers, Colo.	Wolverton
Mahon	Rogers, Fla.	Yorty
Mailliard	Rogers, Mass.	Young
Martin, Iowa	Roosevelt	Younger
Matthews	Sadlak	Zablocki
Meador	St. George	
Merrill	Saylor	

NAYS—18

Abernethy	Gross	O'Hara, Ill.
Alexander	Hays, Ohio	Rogers, Tex.
Burdick	Hull	Rooney
Byrd	Jones, N. C.	Shuford
Dowdy	Lucas	Wheeler
Fountain	Marshall	Wier

NOT VOTING—72

Abbitt	Fine	Murray
Albert	Fogarty	O'Brien, Mich.
Barden	Friedel	O'Brien, N. Y.
Barrett	Garatz	O'Konski
Bonner	Golden	Perkins
Boykin	Graham	Powell
Buckley	Green	Rabaut
Camp	Harris	Reece, Tenn.
Cannon	Harrison, Wyo.	Riley
Case	Harvey	Sheehan
Chelf	Holifield	Shelley
Chipfield	Javits	Simpson, Pa.
Clardy	Jenkins	Small
Cooley	Jones, Ala.	Springer
Dawson, Ill.	Kee	Stauffer
Dingell	Klein	Thomas
Dollinger	McGregor	Thompson, Tex.
Dondero	Machrowicz	Vinson
Donohue	Mason	Vorys
Durham	Miller, Kans.	Vursell
Ellsworth	Mills	Williams, N. Y.
Evins	Morano	Wilson, Tex.
Fallon	Morgan	Wolcott
Fernandez	Moulder	Yates

So the bill was passed.

The Clerk announced the following pairs:

Mr. Chipfield with Mr. Cooley.
Mr. Vorys with Mr. Riley.
Mr. Javits with Mr. Yates.
Mr. Dondero with Mr. O'Brien of New York.

Mr. Graham with Mr. Rabaut.
 Mr. McGregor with Mr. Buckley.
 Mr. Case with Mr. Green.
 Mr. Jenkins with Mrs. Kee.
 Mr. Kearney with Mr. Shelley.
 Mr. Wolcott with Mr. Donohue.
 Mr. Sheehan with Mr. Fogarty.
 Mr. Simpson of Pennsylvania with Mr. Garmatz.
 Mr. Vursell with Mr. Friedel.
 Mr. Ellsworth with Mr. Fine.
 Mr. Harrison of Wyoming with Mr. Klein.
 Mr. Reece of Tennessee with Mr. Dollinger.
 Mr. Springer with Mr. Camp.
 Mr. Williams of New York with Mr. Barrett.
 Mr. Mason with Mr. Abbott.
 Mr. Morano with Mr. Dingell.
 Mr. O'Konski with Mr. Morgan.
 Mr. Harvey with Mr. Moulder.
 Mr. Stauffer with Mr. Powell.
 Mr. Clardy with Mr. Machrowicz.
 Mr. Golden with Mr. Evins.
 Mr. Small with Mr. Fallon.

Mr. HUNTER changed his vote from "nay" to "yea."

Mr. O'HARA of Illinois changed his vote from "present" to "nay."

The result of the vote was announced as above recorded.

The title was amended so as to read: "An act to amend Public Law 73, Eighty-first Congress, first session (63 Stat. 111), to provide for an Under Secretary of State for Administration."

A motion to reconsider was laid on the table.

SPECIAL ORDER

Mr. SMITH of Wisconsin asked and was given permission to address the House for 20 minutes on Monday next, following the legislative business of the day and any other special orders heretofore entered.

ADJOURNMENT UNTIL FRIDAY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Friday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

HON. THOMAS B. STANLEY

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I have asked for recognition at this time in order that I might regretfully announce the retirement from Congress of my distinguished colleague from the Fifth District of Virginia, Hon. THOMAS B. STANLEY.

Mr. STANLEY has served in the Seventy-ninth, Eightieth, Eighty-first, Eighty-second, and Eighty-third Congresses. Since he has been here he has endeared himself to the Members of the House, to his friends on both sides of the aisle, and I am sure you all join with me in regretting that he is leaving this body.

During the last Congress he was chairman of the important Committee on House Administration where he served as he did on the Committee on Interstate and Foreign Commerce, with great distinction.

Mr. STANLEY has a long public career: He was first a businessman, a farmer, then he engaged extensively in the furniture manufacturing business. But there never was a time in the life of this busy man when he was not willing to lay aside his own fortunes and affairs in order to serve his county, his State, and his Nation.

He was for six terms a member of the House of Delegates of the State of Virginia where he served with great distinction, and owing to his ability, his popularity with his colleagues, became and remained for three terms in the legislature, Speaker of the House of Delegates of Virginia.

He became known here for his courage, his conservatism, and his allegiance to conservative and sane measures that were presented to this House.

I shall feel a sense of personal loss when Mr. STANLEY retires from the Congress, and I am sure our State and the Nation will suffer a loss. I regret to see him go.

I yield to the distinguished minority leader, the gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, I join with the gentleman from Virginia [Mr. SMITH] in regretting that Mr. STANLEY has made up his mind to work in another field of endeavor and leave us where he has been such a great joy to many of us with his fine personality and his splendid legislative experience that he brought here from the House of Delegates of Virginia.

Further than that, I feel almost a kinship with Mr. STANLEY because in his county in the State of Virginia my ancestors are buried, in Henry County. I went down there and had a delightful visit with him and his charming lady. A great improvement was going on there and my ancestors had to be moved out of the old family grave and brought over to another cemetery and I was down there at the dedication.

I enjoyed my visit in that fine part of old Virginia, for it brought back things that my mother had told me about her grandfather and grandmother who lived in that neighborhood and who are now buried there.

It is with regret that I lose the association of this fine friend, this fine legislator. I wish him well in any field of endeavor he desires to enter or into which his ambition may lead him.

Mr. SMITH of Virginia. I thank the minority leader and yield to the gentleman from Virginia [Mr. GARY].

Mr. GARY. Mr. Speaker, today marks a milestone in an outstanding legislative career which has spanned nearly a quarter century. Twenty-three years ago THOMAS B. STANLEY became a member of the House of Delegates of Virginia. It was my privilege to serve with him in that body for two terms, during which I formed a very strong attachment for him. His ability, sound judgment, and qualities of leadership were soon recognized, and in 1942 he was elevated to the office of speaker of the oldest law-making body on the American continent, in which capacity he served for three terms.

In 1946, when the beloved Representative of the Fifth Congressional District,

the Honorable Thomas Burch, retired from this House, TOM STANLEY was elected to succeed him. Here he has displayed the same quality of service and leadership as in the Virginia Assembly. His broad and varied experience as a businessman, farmer, and statesman have enabled him to establish an enviable record. He has served with distinction as chairman of the Committee on House Administration and as a member of the Committee on Interstate and Foreign Commerce. His Virginia colleagues are loath to see him leave the House of Representatives, but their feelings are assuaged by the fact that he is resigning today in order that he may offer his services to the Old Dominion in an even more important capacity.

There is one thing about TOM STANLEY particularly that we all admire extravagantly, and that is his lovely wife. She is one of the most charming ladies I have ever known. Throughout his entire career she has been ever by his side furnishing the encouragement and inspiration for his accomplishments. No wife has ever been more faithful. No wife has ever been more helpful. Our love and best wishes go with both Tom and Ann Stanley as he leaves the halls of Congress to seek greater opportunities for service.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the majority leader, the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, I am glad to have this opportunity to contribute a few comments from this side of the aisle to the send-off we are giving one of our distinguished colleagues today. I have known TOM STANLEY best as chairman of a committee on which we served together for several years—the House Administration Committee. The committee is perhaps a mild enigma to some of our Members who are not familiar with its myriad functions. We usually take for granted the fact that someone, somewhere, is bearing the multiple administrative burdens that go into the operation of a very complex legislative body, but we do not often stop to ponder his problems unless we disagree with some policy that affects our own offices. The committee is not well known to the ladies and gentlemen in the press gallery because it has seldom been a wellspring of exciting headlines.

We can call it our housekeeping committee because its activities include even the most petty housekeeping and personnel problems, as well as some rather weighty ones. But whatever we call it, its chairmanship requires a solid, stable person with a back broad enough to carry 435 trunks around on it. TOM STANLEY has borne these trunks—sometimes bloody but always unbowed. One of the chairman's chief functions is to serve as watchdog over the multi-million-dollar contingent fund of the House. As you know, being a watchdog and being popular are generally mutually exclusive conditions. But I think that TOM STANLEY has shown us that there is such a legislative species as the popular watchdog.

To TOM STANLEY something is "good business" or it is something to be rejected. We who have been trying through all these years of free-wheeling

spending sprees to attain fiscal integrity in Government and who have sought some reasonable economy wherever it could be applied are going to miss the sound business sense of TOM STANLEY. He has been a stalwart warrior in our battle for economy.

Today the House loses a grand fellow and an able business executive. I know of no higher tribute to TOM STANLEY's faithful service in this Congress than to say that his service has been altogether true to what Virginians like to call the good old tradition.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from New Jersey [Mr. WOLVERTON].

Mr. WOLVERTON. Mr. Speaker, it has been my privilege and a happy opportunity to be associated with the gentleman from Virginia [Mr. STANLEY] as a member of the Committee on Interstate and Foreign Commerce. As chairman of that committee I regret exceedingly that he has removed himself, by resignation from Congress, from the councils of our committee. We shall miss him greatly. During the years that he has served on that committee he has shown a sincerity of purpose that was striking, indeed. Likewise his ability was outstanding. He was faithful and extremely conscientious in the performance of all his duties. His sound judgment and great experience made him a valuable Member. When it came to the attention of our committee a few days ago that he was about to leave Congress in order to be a candidate for Governor of his native State, I took occasion to speak of the service he had rendered as a member of the committee and as a Member of Congress, which was so outstanding and worth while. I had been rather fulsome in my praise of the gentleman on that occasion, and when I had finished my remarks a member of his own party remarked to me, "You better be careful of what you say, he may use it in his campaign." I replied, "I have said nothing but what came from my heart, and whatever I have said that will prove beneficial to him he certainly is entitled to use it." I have a high regard and great respect as everyone else has, for Mr. STANLEY and the service that he has rendered in this Congress. He is the type that his district may well be proud of, and certainly the State of Virginia would do itself a great service if it elevated him to the high office to which he aspires. He has my best wishes and I will follow his future with a great deal of interest and proud of the fact that I had the opportunity to be associated with him in the work of the Nation.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Iowa [Mr. LECOMPTE].

Mr. LECOMPTE. Mr. Speaker, I doubt if anyone in this House will miss our colleague, TOM STANLEY, as I will, because I have been associated with him very closely in the House Administration Committee. I succeeded him as chairman of that committee. Mr. STANLEY is one of the most careful legislators that I have ever met, one of the most conscientious men, and with his fine feeling of the eternal fitness of things he is retiring from the House so that he will not by any stretch of

imagination neglect any of the duties in the House while he is engaged in the campaign for a higher office. He has always been for economy and for efficiency, and he has brought about a considerable measure of both while he has been at the head of the administration committee. If the people of Virginia in their wisdom decide to elevate Congressman TOM STANLEY to the position of chief executive of the Old Dominion State, he will indeed add one more star to the fine galaxy of statesmen who have come from that State down through the years since colonial days. I regard his departure as a distinct loss to the House, but we are happy to have him make his own decision and I wish for him many good things.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Virginia [Mr. HARRISON].

Mr. HARRISON of Virginia. Mr. Speaker, I do not exactly like the tone the way things are going. I want to say something nice about TOM STANLEY, but after what was said by the two gentlemen from Virginia, and the distinguished majority leader, and the minority leader, and the gentleman from New Jersey, and the gentleman from Iowa, I do not know just exactly what is left for me to say. My distinguished colleague, the gentleman from Virginia [Mr. GARY] stole my thunder when he proceeded to make such a nice statement about Tom's wife who, as everybody in Virginia knows, is one of the loveliest women in Virginia and who, incidentally, looks like Tom's daughter. At any rate, Mr. Speaker, I want to say that I claim I have not reached the age in life where time passes so fast that 6 years seems like yesterday. It is true that Tom and I came into this body the same day to fill a vacancy in the Seventy-ninth Congress, which was more than 6 years ago. But, as I look back on that exceedingly, friendly association, it seems to me that time has gone only too fast. The gentleman from Virginia [Mr. STANLEY] is a man of outstanding character, and ability, and integrity. Above all he is a man of lovable nature, and those of us who have had the privilege of serving with him here during the years are going to miss him a great deal in the years to come.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Virginia [Mr. HARDY].

Mr. HARDY. Mr. Speaker, I feel somewhat like my colleague the gentleman from Virginia [Mr. HARRISON], only I think I am approaching this particular situation in a slightly different light in that I have a feeling of mixed emotions. One is a feeling of personal loss that Tom has seen fit to separate himself from us. Another is maybe just a little bit of hurt feeling that he should aspire to be associated with people in Richmond rather than those who have been associated with him here. I suppose it might be natural, however, that anyone who is dedicated to a life of public service would aspire to broader fields, so I shall not hold that against him.

During the 6 years I have been in Congress Tom and I have occupied offices pretty close to each other on the third floor of the Old Building. For that reason I have had a chance to see him per-

haps more often than a good many other Members except those who have served on committees with him.

I think one of the finest things about TOM STANLEY is the warmth of personality he possesses and the feeling of friendship that develops so easily. But way beyond that I would have to emphasize just a little what my good friends, BURR HARRISON and VAUGHAN GARY, have said that the best thing about Tom is that charming wife of his. To know her is to love her. The people of Virginia, I know, feel about her just about as I do.

Others who have preceded me have spoken aptly of Tom's experience and splendid personal qualities. In his voluntary separation he takes these same qualities with him, and in addition to his record of achievement he leaves here a host of friends. I think we in the Virginia delegation will feel most keenly the absence of his friendship which has been warm and steadfast.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, for the past 6 years it has been my privilege and pleasure to have had a rather close and intimate association with our esteemed colleague from Virginia, TOM STANLEY.

During a part of this period, he has chairmanned the Committee on House Administration of which I am a member. In these years I have learned to appreciate him and the qualities which we all admire in any man.

During this time I have come to respect him as a man deeply devoted to his duties and responsibilities.

As chairman of the committee, TOM STANLEY's basic concept of operations has derived from a store of old and tested Jeffersonian principles that he had packed away during 17 years in the Virginia General Assembly—and that service, I might add, included 6 years as speaker of the house. TOM STANLEY's idea of good legislation is never based on who is right but what is right.

The great State of Virginia holds a unique place in the Union of States. The statesmen it has produced have left their indelible mark of leadership upon the pages of history of this Nation. Many bright stars shine in the firmament of its political history, and among those today reposes the star of TOM STANLEY. Certainly the good people of Virginia need not be told how to vote by an outsider, and no such intent is conveyed in these remarks, but I hope the citizens of Virginia, for the good of the State and of the Nation, will elevate this quiet, modest, and able leader to the highest office within their gift.

If this modest, self-effacing Virginia gentleman prefers to transfer his business acumen to the administration of his native Commonwealth, then he richly deserves the opportunity. If we are losing a good business head, Virginia is gaining one. No matter where he goes, TOM STANLEY will find peace in the power of his own principles.

Your good friends, Tom, will be watching with the greatest of interest the developments as they occur, and I join with many others in wishing for you and your lovely wife the best of all good things.

Mr. SMITH of Virginia. Mr. Speaker, I yield to our colleague the gentleman from Virginia [Mr. ROBESON].

Mr. ROBESON of Virginia. Mr. Speaker, my happy association with our distinguished colleague, THOMAS B. STANLEY, who has so capably represented the Fifth Congressional District of Virginia, has not been confined to service in the Congress. Our friendship and my high personal regard for him developed because of his fine service to our people in the Virginia Assembly and his leadership as a successful industrialist, farmer, and citizen.

Like many of our Virginia citizens, I will be proud to have TOM STANLEY as the next Governor of Virginia, but I also recognize that our delegation loses a most useful Member whom we love and respect.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Texas [Mr. LYLE].

Mr. LYLE. Mr. Speaker, I am very happy to pay my tribute to this splendid gentleman from Virginia. He is a man of great executive ability, a man of honor and of faith. It is quite certain that our Nation needs strength in the State governments. During the past few years our State governments have degenerated and our Federal Government has become more powerful and more oppressive. We need an actual rejuvenation of strength and vigor in our State governments, and I am certain, Tom, that your people will permit you to give them the benefit of your wisdom, your executive ability, your courage, and your faith to help carry on the traditions of your great State. It has been a great privilege to have served with TOM STANLEY, and I am very pleased that I shall continue to have him as our neighbor, and that I shall continue to enjoy his friendship.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Mr. Speaker, as with our distinguished former Speaker, my colleague from Texas [Mr. RAYBURN], my own family sprang from Virginia, and the congressional district of the able TOM STANLEY. I have visited many times in Wytheville, where my kinspeople have resided since the founding of the town, and I was delighted to learn that those people think as affectionately of TOM STANLEY as I have felt since first coming to know him.

TOM STANLEY has earned the respect and admiration of every Member of this House by his earnest attention to his duties. His good judgment stands out among his many other virtues and I am not ashamed to confess that, in the press of legislative matters when I have not had time to examine thoroughly the question before us, I have relied upon his leadership unquestioningly.

I know that whatever he may choose to do, wherever he may choose to apply his talents, the best wishes of all of us here in the House go with him.

Mr. SMITH of Virginia. Mr. Speaker, I yield to our distinguished colleague, the gentleman from Virginia [Mr. STANLEY].

Mr. STANLEY. Mr. Speaker, I have never been made to feel so humble, so grateful, and so appreciative for the

most generous things that have been said about me here this afternoon. I am most grateful to our beloved dean of the Virginia delegation and to all of you who have spoken so nicely of me, and I am especially glad to have a record of what my colleagues from Virginia, whom I have learned to love so dearly, have said. I hope, and I am sure, that it is going to be a very great help to me in realizing my ambition. This was a hard decision for me to make, but I felt compelled to make it at this time for two reasons: First, I wanted my successor to come here to the Congress and begin serving the people from the district that I now have the honor to represent. I want to say that I do not know who this person will be, but the district that I now represent will send someone that you will be pleased to have here. He will ably, and with great honor, to himself and to his district, to the State and to the Nation, represent the Fifth District of Virginia in Congress.

The second reason for my resigning from Congress today is the pressing demand upon my time in planning and conducting my campaign for the Democratic nomination for Governor of the Commonwealth of Virginia, to be held on July 14, 1953.

I was first elected to the Seventy-ninth Congress but I never sat in that body because it had adjourned at the time I was elected. So I first came here when the Eightieth Congress was being organized. At that time I was with the minority party and this House elected the present distinguished Speaker of the House as their presiding officer. It also elected as majority leader the distinguished gentleman from Indiana [Mr. HALLECK]. They were indeed patient and kind to me, as well as to all other Members of this House. I want to pay tribute to them for the fine way in which they presided and managed the operation of this body.

Two years later, the majority of the House shifted to this side of the aisle. The distinguished gentleman from Texas [Mr. RAYBURN] was elected Speaker and the distinguished gentleman from Massachusetts [Mr. McCORMACK] was elected majority leader. They, too, were patient and kind through the two Congresses that I had the pleasure to serve under them. I want to take this opportunity to express to the presiding officers, and to the majority leaders who have been so kind to me all the time I have been here, my deep appreciation. I do not want to stop here, however for it has been a real privilege to serve with the members of the committees that I have been connected with since I came here. I have learned to know those gentlemen better than any of the others. My first committee assignment was with the Committee on House Administration, under the leadership of my good friend KARL LECOMTE. We have served together on that committee until this date. Again I congratulate this House on having him as chairman of that splendid group.

I also had the privilege of serving during the Eighty-first and Eighty-second Congresses on the Committee on Interstate and Foreign Commerce, first under the chairmanship of the very distin-

guished gentleman from Ohio [Mr. CROSER] and at the present time under the distinguished gentleman from New Jersey [Mr. WOLVERTON]. With those gentlemen, as well as the other fine distinguished members of that committee, it has been my very great privilege to have served with them.

My service here has taught me, among other things, some measure of tolerance. I find that this is a great body in which to serve, and if you stay here long enough you will learn to respect the other person's view. I feel that my life has been improved, and I hope that I am a better man for having had the great opportunity of serving with you in this the greatest legislative body in the whole world.

Mr. SMITH of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have an opportunity to extend their remarks at this point in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ABBITT. Mr. Speaker, I have had the pleasure of knowing and being associated with THOMAS B. STANLEY for a number of years. I have, of course, been intimately associated with him since I became a Member of this body early in 1948.

TOM STANLEY is one of the finest Christian gentlemen I have ever had the privilege to be associated with. He is kind, considerate, courageous, gentle, but firm and staunch in his belief.

I admire Tom highly. He is an able legislator who is familiar with the most intricate problems of government and one of the best informed Members of this body. I am proud to call him my friend.

This body will miss his wise, able, and inspiring leadership, but I am proud to know that our colleague is not retiring from public duty but is aspiring to be of greater service to the people of the great State of Virginia, and I am proud to do what little I can to be of assistance to him in this undertaking.

Wherever Tom shall go, our best wishes and hopes for success will follow him. His life and service as we know it and as it is known by the good people of Virginia speaks for itself. He and his wife Ann are good examples of the kind of leaders we in our country need today. We shall miss them, and our hope is that the future will reward them generously.

IMPORTATION OF FOREIGN RESIDUAL OIL

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, at this very minute a ship is tied up at an east coast dock carrying disaster to a segment of our national economy in much the same way as rat-infested vessels brought disease into our port cities in years gone by.

That ship is unloading foreign residual oil into an electric-utility plant or other industrial facility that has traditionally depended upon coal for its heat and power. And back in the coal-producing areas—in my home district and elsewhere in Pennsylvania, West Virginia, Kentucky, and other coal States—many miners are at home today because there is no work for them.

There is no work for them because of that ship and other ships that bring the left-overs from foreign refineries into this country at the rate that reached an average of 607,200 barrels a day during one week of January.

Last year those ships unloaded 128,000,000 barrels of this alien residual oil on our shores. That is enough to displace 31,000,000 tons of coal and to throw 32,256 miners out of work for a full year.

It also creates heavy unemployment for railroaders in my district and in other shipping centers.

In addition, this flood of foreign oil that displaces domestic fuels weakens national security to a highly perilous level.

Rear Adm. D. V. Gallery, United States Navy, declares in last week's Saturday Evening Post that today Russia has more than 300 submarines, as compared with Germany's fleet of only 60 at the beginning of World War II.

Now please think back to 1942 when tankers carrying oil from our own ports on the Gulf of Mexico were torpedoed right in our own coastal waters.

I ask this legislative body whether we can afford to permit the weakening of the coal industry when, in the event of a national emergency, it would naturally have to carry a tremendously greater energy load.

Let us not delay in acting immediately to correct a situation in which a foreign import is gnawing away at the vitality of the coal industry and the life line of our national security.

SPECIAL ORDER TRANSFERRED

Mr. LONG. Mr. Speaker, I ask unanimous consent to transfer the special order of 1 hour which I had for today to Friday, February 6.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

INDUSTRY-WIDE BARGAINING

The SPEAKER. Under the previous order of the House, the gentleman from Texas [Mr. LUCAS] is recognized for 5 minutes.

Mr. LUCAS. Mr. Speaker, despite the lateness of the hour, I think the subject on which I shall speak justifies the use of 5 minutes' time of the House and I beg of you to remain long enough to listen to the few words I have prepared concerning a subject which I think comprises the greatest danger which faces America domestically, and I am speaking of the question of industry-wide bargaining.

The wage disputes in the steel and coal industries during the year just passed

should have illustrated clearly for the Members of this House the evils of a continuing pattern in industrial relations which has come to be generally known as industry-wide bargaining. These disputes also underscore the rise of big government to handle such matters, for it was only because of intervention by the White House, at the expense of further inflation, that these disputes were finally brought to an end.

The steel strike ran for 55 days during which time we saw every legal measure, except use of the Taft-Hartley Act, resorted to by the Government in addition to the illegal seizure of this industry. It can be said without refutation that no one won this battle. The steel workers lost \$390,000,000; the Nation lost 16,300,000 tons of steel, 25,000,000 tons of iron ore, and hundreds of millions of dollars in both civilian and defense products that could have been produced during this period if it were not for the strike. It would appear that the only possible victors were the heads of the steel union who, with the connivance of the Federal Government, strengthened their stranglehold on the rank-and-file steel workers, and the entire industry.

The coal wage dispute later in the year further illustrates the evil effects of gigantic labor monopoly. A strike was avoided in this instance, but at the expense of total wrecking of what remained of the stabilization program. Nonetheless, the situation in the coal industry represents a primary example of what can happen if labor monopoly is allowed to run riot.

This situation is one that has occupied the attention of the Congress on many occasions.

In 1949, after John L. Lewis forced his 3-day work week and other contractual provisions on this industry, the Senate Banking and Currency Committee held hearings on the economic power of labor organizations. The committee report reached the following conclusion:

If this usurpation and abuse of the power to control production and price is tolerated by the Congress, its unbridled use will quickly spread from union to union, from industry to industry, and the Congress will never regain its narrowly circumscribed power to control the economy of the Nation consistently with the Constitution of the United States.

Since that time I have seen nothing in the field of industrial relations which leads me to believe that the trend which the Senate committee warned about has been reversed.

It should be clear by this time that the practice of so-called industry-wide bargaining is a basic cause of continuing labor-management unrest. I say "so-called" industry-wide bargaining because admittedly, industry-wide bargaining exists only in a handful of industries of which coal is the notable example. However, under this general heading there are other types of bargaining including association bargaining, regional bargaining, pattern bargaining and union-wide bargaining, which further weaken the power of the local union. I like to characterize all of these methods as monopoly bargaining.

Past legislative efforts to deal with this relatively new type of monopoly have not

been successful. During the original Taft-Hartley debate, the House passed a provision banning this type of bargaining and it failed in the Senate by only one vote. With the 1947 action of this House in mind, I am reintroducing a bill to curtail all types of monopoly bargaining. The bill would not disturb bargaining on a company-wide basis for multiplant companies. It consists of the provisions of the old Hartley bill dealing with this problem. It would:

First. Prevent the NLRB from certifying a common bargaining representative for the employees of competing employers, with a special exemption for small businesses in the same metropolitan area.

Second. Make it an unfair labor practice for employers to engage in monopolistic lock-outs or for labor to engage in monopolistic strikes. Both are defined similarly as concerted interference with employment, or an employer's operation in accordance with a common plan of action by two or more competing employers, or by the employees of two or more competing employers, unless there is a certified common bargaining agent.

Third. Enforcement would be left to the NLRB subject to the procedures now in the Taft-Hartley Act for dealing with secondary boycotts.

Fourth. A grace period is provided for both management and labor to adapt themselves to the new law.

Opponents of this course of action will say that to restore the rights of local and independent unions in the manner set forth in my bill would be disruptive of long established industrial relations patterns. To them, I say that monopoly bargaining is a relatively new arrival dating its beginnings back only to the Norris-LaGuardia Act of 1932.

I should also like to point out to the Members of this House that my bill may not receive unanimous support from the ranks of industry. While major industrial organizations are on record as being opposed to industry-wide bargaining, there are spokesmen for some industries who have been captured by industry-wide bargaining, and whose jobs depend, to a large extent, on its continuation. For this reason, we can expect opposition from the shipping, pulp and paper, glass, vitreous china, stove, wallpaper, baking, and parts of the coal industries. In addition, local employer groups, particularly on the west coast, are committed to the practice known as group bargaining, with which my bill will interfere to some extent, so we can expect to hear from them.

In a recent speech, I said:

Whatever form of collective bargaining which may be carried on in any industry and which results in collective bargaining decisions by competing employers is monopolistic. Conversely, collective bargaining on behalf of employees of competing employers is equally monopolistic. Both should be prohibited.

It is the purpose of my bill to accomplish just this result which I believe would establish equality of economic power between labor and management and restore bargaining rights to those most concerned, that is, the officers and membership of local unions.

Recent surveys have shown that workers generally believe that their union leaders are losing touch with the rank and file. The McGraw-Hill research department's twelfth survey of workers' opinion showed that 52 percent of the workers believe that local bargaining would mean shorter strikes and 46 percent feel that they would get better breaks from local bargaining, while only 14 percent believed that they would be worse off if bargaining were returned to their own hands. One local union officer put it this way:

Now that everything is decided at a bargaining table located maybe a thousand or two miles away, we guys here in the town and the plant are nothing but reporters and small-time policemen. The closer our big boys get to company and industry top brass—and to Washington—the further away they move from us and the members we have to answer to—that is, if we're going to hold our union jobs.

When I introduced this legislation last year, I was told that my proposal would destroy the international union. This is simply not true. Have trade associations been destroyed because they cannot regulate their members' prices? Of course not. Similarly, international unions can exercise their power and management for good purposes without possessing monopoly control over the wage rates of their locals and rights of their members to work.

I do not say that my proposal is the ultimate answer to this vital problem, but I believe that by adopting it—whether in this form, or some other—the Congress will have moved one long step toward more democratic practices in labor-management relations and will have provided the protection our society needs against monopoly bargaining and its attendant evils.

THE UNITED NATIONS CHARTER

The SPEAKER. Under the previous order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized for 30 minutes.

Mr. BURDICK. Mr. Speaker, I have nothing against you or against the help here in the House of Representatives. I see only three Congressmen here and the only reason they are here is because they want to speak.

I had something to say and I expected to say it this afternoon, but I think I can say it to the country without harming anyone here or wearing out your patience. The subject I was going to speak on and now do speak on is: "What can this country, the United States, do to prevent the United Nations from destroying the Constitution of the United States of America and the constitution and laws of the various States of the Union?"

Mr. LYLE. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Texas.

Mr. LYLE. I stayed because I wanted to hear the distinguished gentleman, not because I wanted to make a speech. He does bring to mind one thing the people of the United States could do; they could urge their Congressmen to pass these various resolutions, one of which I in-

troduced which would amend the Constitution and provide that no treaties entered into would become internal law until overtly made so by direct action of the House and the Senate of the United States. That would be one safeguard.

Mr. BURDICK. That would be one way to do it, and I am glad the gentleman contributed that suggestion. But if you are interested in how to do it you are not going to find out from me this afternoon; you will have to read this speech.

Mr. LYLE. I will be delighted to.

Mr. BURDICK. And there you will find out how you can do it by legislation.

Mr. Speaker, the Supreme Court of the United States has spoken many times on the question of what a treaty is; with whom a treaty can be made; and the effect of a treaty on the Constitution and laws of this country.

One of the early cases involving this matter was the *Head Money case*—One Hundred and Twelfth United States Reports, page 190—of *Edye et al. v. Robertson*, collector at the port of New York. In this case the collector went on board a foreign vessel having on board a great number of immigrants and, under an act of Congress, collected 50 cents per head for all aliens seeking entry into the United States. This money was paid to the collector under protest, and the action was brought to recover the amount paid. The defense was that the collector had proceeded in the matter as provided by an act of Congress regulating immigration. The plaintiff, however, asserted, and presented provisions of treaties with foreign nations in regard to immigrants coming from foreign countries, that the act of Congress regulating immigration was passed after the said treaties had been made.

On this subject Justice Miller, who delivered the opinion of the Court, said:

A treaty is primarily a compact between independent nations. It depends for the enforcement of its provisions on the interest and honor of the governments which are parties to it.

The Constitution gives it (a treaty) no superiority over an act of Congress, which may be repealed or modified by an act of a later date.

In short, we are of the opinion that, so far as a treaty made by the United States with any foreign nation can become the subject of judicial cognizance in the courts of this country, it is subject to such act of Congress as it may pass for its enforcement, modification, or repeal.

The action against the collector was dismissed.

In the case of *Whitney v. Robertson* (124 U. S. 190) where the United States imposed a tariff on products from the Dominican Republic, the matter of treaties was fully discussed by Justice Field. In that case the Dominican Republic relied on a treaty which we had made with the King of Hawaii, in which similar products were admitted free of duty, and that our treaty with the Dominican Republic recited that in trade with this country we would place no higher duty on the importation of products from the Dominican Republic than imposed against like products from any other country.

Since the act of Congress providing for a duty on the imports of products

from the Dominican Republic was passed after the treaty with the same republic was made, the matter of the importance of a treaty came directly up for a decision.

On the matter Justice Field said:

By the Constitution of the United States a treaty and a statute are placed on the same footing, and if the two are inconsistent, the one last in date will control.

Justice Field cited and approved the decision in the case I have first cited, *Head Money cases* (112 U. S. 580).

In the case of *Chae Chan Ping v. United States* reported in One Hundred and Thirtieth United States Reports, page 581, Justice Field again presented the opinion of the Court. In this case the plaintiff, who had resided in this country for several years, visited China and on his return was denied entry in the United States because of an act of Congress passed in his absence. Being held in custody, he applied for a writ of habeas corpus, and the matter came before the Court on that issue.

Justice Field, after citing his opinion in the *Head Money cases*, said:

The power of the Legislative Department of the Government to exclude aliens from the United States is an instance of sovereignty, which cannot be surrendered by the treaty-making power.

The act excluding Chinese laborers from the United States was a constitutional exercise of legislative power and, insofar as it conflicted with existing treaties between the United States and China, it operated to that extent to abrogate them as a part of the municipal law of the United States.

In the case of *Horner v. United States* (143 U. S. 570), where a treaty with Austria was pled in defense of the action of the plaintiff in violating the postal laws of the United States, Justice Blachford, in rendering the opinion, said:

The proposition that that section (of the postal laws) is void if it contravenes a treaty between the United States and Austria is not tenable.

The statute is a law equally with the treaty and, if subsequent and conflicting with the treaty, supersedes the latter.

Judge Harlan, in the case of *Sanchez v. United States* (216 U. S. 167), said in the majority opinion:

It is true that Congress did not, we assume, intend by the Foraker Act to modify the treaty with Spain, but if that act were deemed inconsistent with the treaty, the act would prevail; for, an act of Congress, passed after a treaty takes place, must be respected and enforced, despite any provisions or existing treaty provision on the same subject.

TREATIES

With regard to the ratification of the Charter of the United Nations by the Senate of the United States, the question naturally arises:

Did the Senate have any authority to ratify that document?

In regard to this power of ratification of treaties by the United States Senate, the Constitution provides:

Article VI: This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

If any ratification of the United Nations' Charter was validly made at all, it would have to be made under the authority of the United States. In other words, there must have been authority on the part of the Senate to make a valid ratification.

This treaty was not ratified by an act of Congress, but the document came before the Senate as a treaty. The ratification could not have been made by the Senate alone, unless it was a treaty.

The courts from time immemorial, with respect to treaties, have held that a treaty is a contract between this Nation and some other nation. No individual nation ever offered that treaty for our ratification. It was offered by no nation or more than one nation; it was offered by the United Nations and no one else. It, therefore, seems important to determine what was the United Nations at the time this Charter was offered. Was it a nation? Did it have standing as a nation capable of offering a matter for ratification?

At the time this Charter was offered, the United Nations was the agency of several nations pledged to work for the peace of the world. It was an agent of all nations who had joined the United Nations, but did not then or now exist as an entity entitling it to be ranked as a nation with whom we could make a treaty. The very purpose was for this agency to work for the peace of the world as agents of the several nations who were members. The question now arises, can the United States make treaties with agents of foreign governments?

It is clear, from a digest of the foregoing cases that—

First, a treaty is a compact between independent nations.

Second, since the approval of the Charter of the United Nations was not a compact between the United States and any independent nation, the approval was void.

Third, that a treaty cannot in any case abrogate the sovereign power of the United States or any State in the Union.

Fourth, that an existing treaty may be amended, modified, or repealed by any act of Congress.

Fifth, that where a treaty conflicts with a law passed by Congress subsequent to the ratification of the treaty, that the act of Congress prevails.

Applying these legal principles to the Charter of the United Nations, we find first, that the ratification of any agreement made with agents of several governments does not establish such body as an independent nation with whom we could make a treaty.

Assuming that the United States had the power to make a treaty with this body of agents of independent nations, such ratification could not contain any language or agreement that would abrogate the sovereign power of the United States or of any State in the Union. The decision—the very first decision coming up under the Charter of the United Nations—was in the *Fujii* case in California, where the court held that since the laws of the State of California in reference to the ownership of land by certain nationals were antagonistic to the United Nations Charter and Declaration of Human Rights, that the law

of California must give way to the supreme law of the land doctrine contained in the Constitution of the United States. This decision was clearly erroneous, because it is within the sovereign power of the State of California to make any law it may think proper to regulate aliens in that State.

One of the provisions of the Charter of the United Nations reads:

All members shall give the United Nations every assistance in any action it may take in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

This means that whatever measures the Security Council takes, whether in violation of our sovereignty or not, we agree to comply.

This provision, though, must be meaningless, for Russia has violated this principle with impunity in giving assistance to the Red Koreans and the Red Chinese.

Article 6 reads:

A member of the United Nations which has persistently violated the principles contained in the present charter may be expelled from the organization by the General Assembly upon recommendations of the Security Council.

No action has been taken against Russia although the evidence before the Security Council is overwhelming that through the aid by Russia given to the aggressor in Korea the war there is continuing.

Article 21 provides:

The members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present charter.

Article 43 provides:

All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with agreement or agreements, Armed Forces, assistance and facilities, including the right of passage, necessary for the purpose of maintaining international peace and security.

Under this provision the Korean war was started, and the United States found itself at war in a foreign country without a declaration of war. The Constitution of the United States had clothed Congress, and no other body, with power and responsibility to declare war. This section of the Charter of the United Nations violates the Constitution, as it takes the power to declare war away from Congress and places it in the power of the Security Council of the United Nations.

Article 55, subdivision (a), says:

The United Nations shall promote (in every country) higher standards of living, full employment, and conditions of economic and social progress and development.

This section opens the doors to the promotion of all sorts of social experiments in the attempt to build an Utopian state. We have seen some of these experiments tried in this country by the New Deal, and this provision of the Charter authorizes it specifically. The Constitution of the United States does not guarantee all these Utopian desires of its citizens, but it does guarantee that every citizen shall be entitled to life, liberty, and the pursuit of happiness, and

that he shall have an equal opportunity to pursue his way of life the same as another citizen. This means that our Constitution confers upon no one a special privilege which cannot be enjoyed by all. That is all any government can promise and, clothed with these opportunities, it is up to the individual, through his own efforts, to realize his ambition. The Constitution does not guarantee every person employment any time he wants it, but it does guarantee him an equal opportunity for employment.

This section makes it possible to set up a communistic state, and since Communists were the chief authors of this whole Charter, it is not accidental at all that the provisions I mention here were inserted in that Charter.

Under the miscellaneous provisions of the Charter relating to the International Court of Justice, set up by the United Nations, the powers of this country over our own treaties have, by this Charter, been transferred to this International Court.

Article 36 of the statute of the International Court of Justice of the United Nations provides as to the jurisdiction of this court:

The jurisdiction of the court comprises all cases which the parties may refer to it and all matters specially provided for in the Charter of the United Nations or to treaties and conventions in force.

The states parties to the present statute may at any time declare that they recognize as compulsory, ipso facto and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the court in all legal disputes concerning: (a) the interpretation of a treaty; (b) any question of international law; (c) the existence of any fact which, if established, would constitute a breach of any international obligation.

In the event of a dispute as to whether the court has jurisdiction, the matter shall be settled by a decision of a court.

Nothing could be more simple.

The effect of these statutes passed by the United Nations is to take from the courts of this country their power to construe treaties made by the United States and violate the provisions of the Constitution of the United States as to treaties.

The Constitution of the United States, section 2 of article III, provides:

The judicial power shall extend to all cases, in law and equity, arising under the Constitution, the laws of the United States, or treaties made or which shall be made, under their authority.

In spite of these provisions there are many advocates of the United Nations who claim no attempt is being made to undermine the Constitution of the United States.

When we find that UNESCO, a subsidiary of the United Nations, is engaged in a wholesale campaign of propaganda, week after week on the radio, at the taxpayers' expense, training teachers to teach, and teaching that love of country—this country—by reference to our great leaders like Washington, Jefferson and Lincoln, creates a strong nationality, we wonder at what place the United Nations will stop in its efforts to destroy the American system of Government. This organization wants no strong national spirit of the United

States, but loyalty to a world government. This is an alarming situation and yet the people, generally, are not aroused. They have been told so many times that the United Nations is the only instrument of peace we have; that peace is what the United Nations is trying to obtain, the people believe in it, and believing it, they are lulled to sleep while the United Nations, conceived and inspired by Communists, seeks to destroy the Government we have.

If the past decisions of the Supreme Court of the United States are to be followed, there is no danger that a treaty can disturb the Constitution of the Nation or interfere with the sovereign rights of States, and no constitutional amendment is necessary.

If these decisions are to be followed, Congress has the power by a congressional act to revise, amend or abrogate a treaty entirely. This being true, many amendments will be offered repealing various parts of the Charter, especially that provision which gives the Security Council power to start a war and ignore the powers and responsibilities of Congress.

Of course, we are never sure what the Supreme Court of the United States will hold. In the steel seizure case the Chief Justice of the Supreme Court, in his dissenting opinion, held the President had the power to seize the steel industry, and based his arguments on the fact that we had assumed a new responsibility when the Senate adopted the Charter of the United Nations, and that here in this document is found the power and authority of the President to seize the steel industry, although elsewhere in the Constitution no such specific authority could be found. This opinion reaffirms the ratification of the Charter of the United Nations and makes this document superior to our own Constitution and, in effect, amends our own Constitution without resorting to the constitutional process by which our Constitution is amended. It is a shortcut, entirely ignoring the Congress and the people, and promulgated by a body representing 64 foreign nations and the United States.

This is an amazing doctrine, and if the majority of the Court were of the same opinion as the Chief Justice, the Constitution of the United States would have been scrapped and, in its place, the Charter of the United Nations would be in full control of our liberties.

I cite this dissenting opinion, not for the purpose of excoriating the Chief Justice, but to point out the danger our Constitution is in since the ratification of the Charter of the United Nations. Fortunately for the people of the United States, the majority of the Court could not entertain any such doctrine, and the Constitution of this country was preserved.

It is most likely that no Senator who voted for the ratification of the Charter of the United Nations had the least idea that the Charter went further than to provide the organization with all proper tools to bring about world peace; it is also likely that no Senator who voted for the ratification saw in the wording of the document the hidden purpose of changing the Constitution of the United States or of any State or any law of the

United States, or any law of one of the States of this Union. But the purpose to do so is now obvious. The exclusion laws of the State of California did not suit the majority of the members of the United Nations' representatives, and they implanted in this Charter the intended power to change our laws. When the Fujii case in California reached the court of appeals, the learned judge said:

The Charter as ratified by the Senate has become the supreme law of the land, and hence the provisions of the California Exclusion Act conflict with the Charter of the United Nations, and hence the California law must be set aside.

It was.

It is likely that no Senator ever dreamed that the United Nations would ever attempt, either through the Charter or by any subsequent convention, to change the Constitution of the United States. But that has already happened, insofar as showing an attempt on the part of the United Nations to change our Constitution.

One of these conventions will come before the Senate of the United States shortly. It attempts to write a new definition of free speech, free religion, and a free press. Copies of this intended move have been circulated and can be found. The very cornerstones of our liberty are free speech, free religion, and a free press, and before the United Nations made this attempt, no one in this country who is familiar with our history ever thought for a minute that these cornerstones could be removed without constitutional amendments in which all the people, through their duly elected representatives, would have a voice. Now read this intended new definition of these cornerstones.

In regard to these cornerstones of our liberty, the Constitution of the United States provides:

Amendment No. 1: Congress shall make no law respecting the establishment of religion, or permitting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people to peacefully assemble, and to petition the government for a redress of grievances.

The provisions of the Covenant of Human Rights, proposed and to be submitted to the Senate for ratification, in respect to the above quotation from the Constitution of the United States, are:

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive, and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of choice * * * but this right is subject to certain restrictions, but these shall be such only as are provided by law or are necessary for the protection of national security, public order, safety, health or morals, or of the rights, freedoms, and reputation of others.

Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are pursuant to law and are reasonable and necessary to protect the public safety, order, health or morals or the fundamental rights of others.

The most ardent and unreasonable supporter of the United Nations must admit that here in these sections proposed by the United Nations the proposal to amend our Federal Constitution is clearly obvious. Loaded down with all

these restrictions and conditions—to be interpreted by the United Nations—it must be clear to all that the attempt is being made to destroy these fundamental freedoms as expressed in our Constitution.

The United Nations, created as its sponsors said, to preserve the peace of the world, evidently has found out that it cannot accomplish its original purpose when its own members are at war against each other, and have now started out on a broad grandiose policy of changing the Constitution and laws of the United States.

I should not be doing my full duty to this House or to the people of the United States if I did not, in the light of these decisions, present the quickest possible way in which the Congress of the United States can remove the dangers to our Government in the language contained in the Charter and covenants of the United Nations.

I propose and have introduced today, acts providing:

First. That no treaty, now existing or to be hereafter negotiated, shall in any way abridge the sovereign power of the United States or of any State, nor shall such treaty change, amend, or abridge any law of the United States or of any State in the United States.

Second. That in cases where the interpretation of the provisions of any treaty is at issue and to which the United States is a party, the question shall be submitted to the Supreme Court of the United States for adjudication, notwithstanding any provision in any treaty to the contrary.

Third. That neither the Security Council nor any other agency of the United Nations shall have any power to call on this country for armed troops to serve in any foreign country, without first obtaining the consent of Congress therefor, notwithstanding the provisions of any treaty to the contrary.

There are other provisions of the Charter of the United Nations that should be amended or entirely repealed, but the three changes set forth herewith are imperative.

I am in favor of constitutional amendments such as limiting what may be contained within a treaty, as proposed by Senator BRICKER, and the one making Congress, and not the Senate alone, responsible for approving treaties, as I have proposed in a Constitutional amendment; but since this Congress has the power now to pass acts limiting the extent of treaties, this power should be exercised without delay. The Fujii case in California, and the dissenting opinion of the Chief Justice of the Supreme Court of the United States in the steel seizure case, is warning enough that it is directly up to this Congress right now to preserve the Constitution and laws of this country, regardless of any insidious attempt, from any quarter, to destroy them.

OLD-AGE PENSION FOR ALL OVER 65

The SPEAKER. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 10 minutes.

Mr. LANE. Mr. Speaker, everybody is talking about national security these days.

Most of the money taken from us in taxes is being spent to provide us with defenses against outside foes.

But what is being done to protect our own people against hunger, want, and fear—the age-old enemies of human beings before we ever heard of fascism, communism, or any other “ism” that may arise to plague the world?

The answer is: Not enough.

Apologists of the go-slow school point, by way of defense, to our old-age and survivors insurance program and to the old-age assistance program.

Taken together, they only provide a skeleton of social security.

All people over 65 are not covered, and benefits are paid in dollars that—in number and in content—are suffering from malnutrition.

To make the United States secure at home, we must protect our old people from privation and worry, and the most efficient way of doing it is to provide a \$100-a-month pension to all citizens 65 years of age and older, based on qualifying age and citizenship, and without any further red tape, so that administrative costs will be held to a minimum.

Social-security taxes are going up anyway by fractions. A slight increase would finance a complete coverage and eliminate the confusion and humiliation that attend our present piecemeal program.

The need for a national pension is evident to those who are not afraid to face the facts, here they are—not pulled from a hat, but based on actuarial findings by our life-insurance companies.

Take 100 men at the age of 25 and then follow their journey up to the age of 65. How many are left, and what is their fate?

Thirty-six will be dead, and “economisers” will not be troubled by them.

Five will be self-supporting.

Four will be well-to-do.

One will be wealthy.

Fifty-four will be broke or dependent.

That last figure is the shocker.

Over one-half of the original hundred will be stripped of their human dignity, forced to beg from public welfare, or to accept charity from the very children they brought into the world.

Wait a minute. You cannot dismiss their plight by saying “It’s their own fault. They should have thought of themselves alone and should have saved up for a rainy day.”

Remember that we had four depressions between 1900 and 1942 that wiped out the savings of workers.

Within less than 25 years depression, unemployment, and war have cost us close to a trillion dollars—one thousand billion.

One cannot blame the average American worker for the blunders and the delays and the greed that failed to prevent depression and wars. Today we are engaged in two more wars—a hot one and a cold one.

But when, like *Oliver Twist*, we ask for a little more for our own people, there are those in high places who complain about the cost.

Our modern industrial economy is a great one, but it cannot survive if it is wrecked in every generation by shortsighted leaders who fail to learn the lesson of the century—that we cannot have either peace or prosperity without first insuring sustained production and purchasing power first of all in the United States. The number of our people over 65 is increasing. Many of them, by that fact alone, are excluded from employment. What are they going to do for purchasing power?

I do not plead on humanitarian grounds, for there are many ears that are closed to such an appeal.

But on the basis of economics, which affect the financially secure as well as the insecure, I say that we should legislate a national pension voluntarily before we are compelled to do it by the revolutionary forces at work in human society.

Those who resist change endanger all. The principle of pensions is firmly established.

But we have not developed it to its logical conclusion.

Whether it is called disability compensation or retirement or by any other name, it is still a pension.

Veterans of the armed services receive pension, and rightly so, even though they have completed but 20 years of service, have not yet reached the age of 40, and are able to handle a full-time job after retirement.

They gave service to the country, and so have those who have worked in a civilian capacity and for a much longer period.

Now at an age where they cannot do as much physical work, or are excluded from many types of employment, our older citizens deserve first consideration because the concept of a pension was originally intended for them.

H. R. 1041, which I am proud to bring to your attention, would establish this right as a matter of national policy.

It would be a blessing to our millions of old folks and would attract confidence in our leadership throughout the world.

One hundred dollars a month for all citizens over 65 will be the sign that the United States stands for human as well as material security.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HARRISON of Wyoming (at the request of Mr. ARENDS), for 1 week, on account of death in family.

Mr. STAUFFER (at the request of Mr. GRAHAM), indefinitely, on account of illness.

Mr. VURSELL (at the request of Mr. ARENDS), for 2 weeks, on account of illness.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. SMITH of Wisconsin in three instances and to include extraneous matter.

Mr. LANE in four instances and to include extraneous matter.

Mr. SMITH of Mississippi in four instances and to include extraneous matter.

Mr. KARSTEN of Missouri and to include an article appearing in the Washington Star.

Mr. PATTERSON and include extraneous matter.

Mr. HOFFMAN of Illinois.

Mr. JAVITS and to include extraneous material.

Mr. BOGGS and include extraneous material.

Mr. COLMER and include an editorial.

Mr. POAGE and include extraneous matter.

Mr. MULTER in two separate instances in each to include extraneous matter.

Mr. TEAGUE in four separate instances in each to include extraneous material.

Mr. ROOSEVELT in four separate instances, in each to include extraneous material.

Mr. DOWDY and to include extraneous matter.

Mr. METCALF in two instances and to include extraneous matter.

Mr. DODD to revise and extend his remarks and include a telegram.

Mr. KEOGH and to include an editorial appearing in the New York Times.

Mr. KELLEY of Pennsylvania and to include an editorial appearing in The Commonwealth.

Mr. DELANEY and to include extraneous matter.

Mr. MADDEN and to include an address.

Mr. TOLLEFSON and to include an editorial.

Mr. WOLVERTON to revise and extend his remarks and include extraneous matter.

Mr. JUD in three instances and to include extraneous matter.

Mr. GWINN in two instances.

Mr. ROGERS of Florida and to include an editorial.

Mr. WHARTON.

Mr. RODINO and to include an article.

Mr. BERRY and to include extraneous matter.

ADJOURNMENT

Mr. LECOMPTE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 41 minutes p. m.), under its previous order, the House adjourned until Friday, February 6, 1953, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

427. A letter from the Acting Comptroller General of the United States, transmitting a report on the audit of Tennessee Valley Authority for the fiscal year ended June 30, 1952, pursuant to the requirements of the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 77); to the Committee on Government Operations and ordered to be printed.

428. A letter from the Acting Secretary of the Navy, transmitting the Fourth Annual Report on the Disposal of Navy Excess Property in Foreign Areas for the Calendar Year 1952, pursuant to section 404 (d) of the

Federal Property and Administrative Services Act of 1949; to the Committee on Government Operations.

429. A letter from the Secretary of Commerce, transmitting the Twenty-first Quarterly Report required under the Export Control Act of 1949; to the Committee on Banking and Currency.

430. A letter from the Administrator of Federal Security Agency, transmitting a draft of a bill entitled "A bill to protect the public health and welfare by restoring authority for factory inspections under the Federal Food, Drug, and Cosmetic Act"; to the Committee on Interstate and Foreign Commerce.

431. A letter from the Secretary of Commerce, transmitting a report concerning the progress made in the improvement of Federal-aid highways and other information for the fiscal year ended June 30, 1952, pursuant to section 10 of the act of Congress approved June 18, 1934 (48 Stat. 993); to the Committee on Public Works.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DINGELL:

H. R. 2510. A bill to amend the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. RHODES of Pennsylvania:

H. R. 2511. A bill to amend the National Labor Relations Act, as amended; to the Committee on Education and Labor.

By Mr. BARTLETT:

H. R. 2512. A bill to amend the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), as amended; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT of Florida:

H. R. 2513. A bill to provide income tax relief for parents of minor children under age of 18; to reduce the percentage depletion deductions; and for other purposes; to the Committee on Ways and Means.

By Mr. BUCKLEY:

H. R. 2514. A bill to provide for payment of death gratuity to beneficiaries of certain members of the United States Naval Reserve and United States Marine Corps Reserve who suffer death from disease contracted while on active naval or military service; to the Committee on Armed Services.

By Mr. BURDICK:

H. R. 2515. A bill providing that in the interpretation of any treaty made between the United States and any other independent state, the Supreme Court of the United States shall be the sole judge hereof, notwithstanding the provision of any treaty now existing or hereafter to be made, to the contrary, and for other purposes; to the Committee on Foreign Affairs.

H. R. 2516. A bill providing that no treaty now existing or hereafter to be created shall contain any provision abridging the sovereign power of the United States, nor of any State thereof, nor shall any treaty amend or abridge any law of the United States or of any State thereof, and for other purposes; to the Committee on Foreign Affairs.

H. R. 2517. A bill limiting the power of the Security Council of the United Nations or any other agency created by treaty to call for troops of the United States to serve in foreign countries, without the consent of Congress, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. R. 2518. A bill to repeal certain legislation relating to the purchase of silver, and for other purposes; to the Committee on Ways and Means.

By Mr. CHUDOFF:

H. R. 2519. A bill to establish the Federal Agency for Handicapped, to define its duties, and for other purposes; to the Committee on Education and Labor.

By Mr. COLE of Missouri:

H. R. 2520. A bill to provide for a physical assay and inventory of all gold owned by the United States, and to provide that the results of such assay and inventory shall be reported to the Congress; to the Committee on Banking and Currency.

By Mr. COLE of New York:

H. R. 2521. A bill to permit members of the Armed Forces to elect certain contingency options, and for other purposes; to the Committee on Armed Services.

By Mr. CURTIS of Missouri:

H. R. 2522. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, with respect to the annuities of certain retired employees who served in Alaska and on the Isthmus of Panama; to the Committee on Post Office and Civil Service.

H. R. 2523. A bill to authorize the coinage of special 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the purchase of the Louisiana Territory from France by President Jefferson in 1803; to the Committee on Banking and Currency.

By Mr. DOLLINGER:

H. R. 2524. A bill to repeal certain miscellaneous excise taxes; to the Committee on Ways and Means.

H. R. 2525. A bill granting exemption from income tax in the case of retirement annuities and pensions; to the Committee on Ways and Means.

H. R. 2526. A bill to rescind the order of the Postmaster General curtailing certain postal services; to the Committee on Post Office and Civil Service.

By Mr. EBERHARTER:

H. R. 2527. A bill to amend section 124A of the Internal Revenue Code with respect to the basis of certification of certificates of necessity and for other purposes; to the Committee on Ways and Means.

By Mr. ELLIOTT:

H. R. 2528. A bill to provide appropriate lapel buttons for widows, parents, and next of kin of members of the Armed Forces who lost their lives in the armed services of the United States during the present hostilities; to the Committee on Armed Services.

H. R. 2529. A bill to amend the act of July 1, 1948, to authorize the erection of appropriate Government headstones or markers in cemetery plots in memory of certain members of the Armed Forces who died while serving in the overseas theaters of operations and whose bodies have not been recovered or identified or have been buried at sea; to the Committee on Interior and Insular Affairs.

H. R. 2530. A bill to extend the period within which courses of instruction may be initiated pursuant to the Servicemen's Readjustment Act of 1944, as amended, by certain veterans unable to avail themselves of such educational benefits because of illness or physical disability; to the Committee on Veterans' Affairs.

H. R. 2531. A bill to establish a National Superhighway Commission to provide for plans and surveys for the construction of a national superhighway system; to the Committee on Public Works.

H. R. 2532. A bill to provide for an additional United States Military Academy to be located in the Seventh Congressional District of Alabama, and for other purposes; to the Committee on Armed Services.

H. R. 2533. A bill to permit the postponement of income tax with respect to a portion of earned net income paid to a restricted retirement fund; to the Committee on Ways and Means.

H. R. 2534. A bill to prohibit the severance of a service-connected disability which

has been in effect for 10 or more years; to the Committee on Veterans' Affairs.

H. R. 2535. A bill to encourage the prevention of water pollution by allowing amounts paid for industrial waste treatment works to be amortized at an accelerated rate for income-tax purposes; to the Committee on Ways and Means.

H. R. 2536. A bill to establish a United States Air Force Academy in the Seventh Congressional District of Alabama; to the Committee on Armed Services.

H. R. 2537. A bill to enable the mothers and widows of deceased members of the Armed Forces now interred in cemeteries outside the continental limits of the United States or in Alaska to make a pilgrimage to such cemeteries; to the Committee on Armed Services.

By Mr. GUBSER:

H. R. 2538. A bill to amend the act of July 6, 1950, to provide an equitable readjustment of benefits for certain annuitants and survivors of annuitants who retired under the Civil Service Retirement Act of May 29, 1930, prior to April 1, 1948; to the Committee on Post Office and Civil Service.

H. R. 2539. A bill to authorize payment for the transportation of household effects of certain naval personnel; to the Committee on Armed Services.

By Mr. HOLMES:

H. R. 2540. A bill to authorize the construction of the Klickitat unit of the Wapato project, Yakima Indian Reservation, Wash., and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 2541. A bill authorizing flood-control works on the Yakima River and tributaries; to the Committee on Public Works.

By Mr. JAVITS:

H. R. 2542. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

By Mr. KLEIN:

H. R. 2543. A bill to allow a taxpayer to deduct for income-tax purposes amounts paid for the care of dependents, while the taxpayer is employed; to the Committee on Ways and Means.

By Mr. LATHAM:

H. R. 2544. A bill to authorize the construction of a Federal building at Jamaica, Long Island, N. Y.; to the Committee on Public Works.

By Mr. LUCAS:

H. R. 2545. A bill to diminish the harmful effects of labor disputes upon the general public and the national defense by encouraging collective bargaining between employers and their own employees, and for other purposes; to the Committee on Education and Labor.

By Mr. LYLE:

H. R. 2546. A bill to amend the War Claims Act of 1948, as amended, to make husbands eligible for survivor benefits under sections 5 and 6, regardless of status or dependency; to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN of Iowa:

H. R. 2547. A bill providing for construction of a highway, and appurtenances thereto, traversing the Mississippi Valley; to the Committee on Public Works.

By Mr. MORRISON:

H. R. 2548. A bill to provide that equipment for use in the third- and fourth-class post offices shall be furnished by the Post Office Department, and for other purposes; to the Committee on Post Office and Civil Service.

H. R. 2549. A bill to amend the Civil Service Retirement Act; to the Committee on Post Office and Civil Service.

H. R. 2550. A bill to provide that the Postmaster General shall furnish flat-top stools for post-office clerks who perform the duty of distributing mail; to the Committee on Post Office and Civil Service.

H. R. 2551. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, with respect to officers and employees of the Public Health Service assigned to duty requiring contact with persons afflicted with leprosy; to the Committee on Post Office and Civil Service.

H. R. 2552. A bill to rescind the order of the Postmaster General curtailing certain postal services; to the Committee on Post Office and Civil Service.

H. R. 2553. A bill to amend section 1 (d) of the Civil Service Retirement Act of May 29, 1930, as amended, so as to provide certain benefits for employees engaged in law-enforcement work who, because of disability or other reasons, are unable to complete 20 years of service in such work; to the Committee on Post Office and Civil Service.

By Mr. MULTER:

H. R. 2554. A bill to amend the Fair Labor Standards Act of 1938, as amended; to the Committee on Education and Labor.

By Mr. O'HARA of Illinois:

H. R. 2555. A bill to amend the Housing and Rent Act of 1947, as amended; to the Committee on Banking and Currency.

By Mr. REED of Illinois:

H. R. 2556. A bill to amend section 3185 of title 18, United States Code; to the Committee on the Judiciary.

H. R. 2557. A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941; to the Committee on the Judiciary.

H. R. 2558. A bill to provide for the appointment of additional circuit and district judges and for other purposes; to the Committee on the Judiciary.

H. R. 2559. A bill to amend sections 371, 372, and 373 of title 28, United States Code, with respect to the resignation and retirement of judges and the appointment of additional judges when permanently disabled judges fail to retire; to the Committee on the Judiciary.

H. R. 2560. A bill to continue the effectiveness of the provisions of the act of October 31, 1942, as extended, relating to the adjustment of royalties, for the duration of the national emergency proclaimed December 16, 1950, and 6 months thereafter; to the Committee on the Judiciary.

H. R. 2561. To further amend the act of May 29, 1945, entitled "An act to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment or personal property occurring incident to their service" by extending the time for filing certain claims thereunder; to the Committee on the Judiciary.

H. R. 2562. A bill to consider residence in American Samoa or the Trust Territory of the Pacific Islands by certain employees of the governments thereof, and their dependents, as residence in the United States for naturalization purposes; to the Committee on the Judiciary.

H. R. 2563. A bill to amend title 18, United States Code, sections 794, 2151, 2153, 2154, and 2388 as extended to continue in effect the provisions thereof; to the Committee on the Judiciary.

H. R. 2564. A bill to make the provisions of section 1362 of title 18 of the United States Code, relating to injury to or interference with communications systems operated or controlled by the United States, applicable to and within the Canal Zone; to the Committee on the Judiciary.

H. R. 2565. A bill to further amend the act of January 2, 1942, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries"; to the Committee on the Judiciary.

H. R. 2566. A bill to amend the Contract Settlement Act of 1944 so as to establish a time limitation upon the filing of certain

claims thereunder; to the Committee on the Judiciary.

H. R. 2567. A bill to amend the act of July 26, 1947 (61 Stat. 493), relating to the relief of certain disbursing officers; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 2568. A bill to amend the Civil Service Retirement Act approved May 29, 1930, as amended, so as to exempt annuity payments under such act from taxation; to the Committee on Ways and Means.

By Mr. RHODES of Pennsylvania:

H. R. 2569. A bill to reclassify supervisory employees in the field service of the Post Office Department into step rate grades comparable with those for other postal employees and to adjust inequities; to the Committee on Post Office and Civil Service.

H. R. 2570. A bill to provide equitable compensation for Saturday, Sunday, holiday, and overtime duty in the Federal Government service; to the Committee on Post Office and Civil Service.

H. R. 2571. A bill to regulate subsistence, expenses, and mileage allowances of civilian officers and employees of the Federal Government; to the Committee on Government Operations.

By Mr. ROGERS of Florida:

H. R. 2572. A bill providing that certain real property, together with improvements thereon, acquired for military purposes, or for housing projects, national parks, or monuments, shall not be exempt from taxation by the States and their political subdivisions; to the Committee on Interior and Insular Affairs.

By Mrs. ROGERS of Massachusetts (by request):

H. R. 2573. A bill to provide greater security for veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, in the granting of emergency hospital care by the Veterans' Administration; to the Committee on Veterans' Affairs.

H. R. 2574. A bill to increase the monthly rates of pension payable to certain widows of deceased veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection; to the Committee on Veterans' Affairs.

H. R. 2575. A bill to increase the monthly rates of disability compensation payable to veterans; to the Committee on Veterans' Affairs.

By Mr. ROOSEVELT:

H. R. 2576. A bill to prohibit discrimination in employment because of race, color, religion, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. SCUDDER:

H. R. 2577. A bill to extend the authority of the President to enter into trade agreements under section 350 of the Tariff Act of 1930, as amended, and for other purposes; to the Committee on Ways and Means.

By Mr. SHAFER:

H. R. 2578. A bill to amend title 28 of the United States Code so as to transfer certain counties from the eastern district of Michigan to the western district of Michigan, to provide for the appointment of additional district judges for the judicial districts of Michigan, and for other purposes; to the Committee on the Judiciary.

By Mr. SHORT:

H. R. 2579. A bill to authorize the furnishing of information and civilian education for personnel in the Armed Forces, and for other purposes; to the Committee on Armed Services.

By Mr. SMITH of Mississippi:

H. R. 2580. A bill to create a committee to study and evaluate public and private experiments in weather modification; to the Committee on Interstate and Foreign Commerce.

By Mr. SUTTON:

H. R. 2581. A bill to provide that each personal income tax exemption of a taxpayer

(including the exemption for a spouse, the exemption for a dependent, and the additional exemption for old age or blindness) for any taxable year shall be increased above \$600 in the same ratio as the Consumers' Price Index for such year is above the index for the period 1935 through 1939; to the Committee on Ways and Means.

By Mr. TALLE:

H. R. 2582. A bill to amend section 12 of chapter V of the act of June 19, 1934, as amended, entitled, "An act to regulate the business of life insurance in the District of Columbia"; to the Committee on the District of Columbia.

By Mr. VAN FELT:

H. R. 2583. A bill to amend section 1020c, title 12, Banks and Banking, United States Code, and to provide for payment by the Federal Farm Mortgage Corporation of the unpaid balance due on defaulted joint-stock land bank bonds; to the Committee on Agriculture.

By Mr. WALTER:

H. R. 2584. A bill to clarify the copyright laws with respect to the renewal of copyrights; to the Committee on the Judiciary.

By Mr. WITHROW:

H. R. 2585. A bill to reclassify supervisory employees in the field service of the Post Office Department into step rate grades comparable with those for other postal employees and employees in other Federal services, and to adjust inequities; to the Committee on Post Office and Civil Service.

By Mr. ZABLOCKI:

H. R. 2586. A bill to exempt the field service of the Post Office Department from section 1310 of the Supplemental Appropriation Act, 1952; to the Committee on Post Office and Civil Service.

H. R. 2587. A bill to encourage the States to hold preferential primary elections for the nomination of candidates for the office of President, and for other purposes; to the Committee on House Administration.

By Mr. HESS:

H. J. Res. 163. Joint resolution designating the 7-day period beginning October 18, 1953, as Cleaner Air Week; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 164. Joint resolution to provide for investigating the feasibility of establishing a coordinated local, State, and Federal program in the city of Boston, Mass., and general vicinity thereof, for the purpose of preserving the historic properties, objects, and buildings in that area; to the Committee on Interior and Insular Affairs.

By Mr. BERRY:

H. J. Res. 165. Joint resolution providing for the establishment of a Commission on Retirement of the National Debt; to the Committee on Ways and Means.

By Mr. HINSHAW:

H. J. Res. 166. Joint resolution to establish a Joint Committee on Science; to the Committee on Rules.

By Mr. ZABLOCKI:

H. Con. Res. 30. Concurrent resolution to provide for the creation of a joint committee to study and investigate all matters pertaining to the election of the President and the Vice President of the United States, and for other purposes; to the Committee on Rules.

By Mr. HILL:

H. Res. 131. Resolution to provide funds for the expenses of the study and investigation authorized by House Resolution 22; to the Committee on House Administration.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. HESELTON: Resolutions of the General Court of the Commonwealth of Massachusetts memorializing the Congress of the United States of America to pass legislation to incorporate Franco-American War

Veterans, Inc.; to the Committee on the Judiciary.

By Mr. LOVRE: Memorial of the Legislature of the State of South Dakota memorializing the Congress of the United States, and His Excellency, the President of the United States, to take action regarding the land to be inundated by the Missouri River development, the appraisal of said land, the people dispossessed, and other pertinent matters in relation thereto; to the Committee on Public Works.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT:

H. R. 2588. A bill for the relief of Luigi Mascitti; to the Committee on the Judiciary.

By Mr. BATES (by request):

H. R. 2589. A bill for the relief of Mrs. Francis McDowall; to the Committee on the Judiciary.

By Mr. BOGGS:

H. R. 2590. A bill for the relief of Martin M. Sorensen; to the Committee on the Judiciary.

By Mrs. FRANCES P. BOLTON:

H. R. 2591. A bill for the relief of Elizabeth Koczki; to the Committee on the Judiciary.

By Mr. OLIVER P. BOLTON:

H. R. 2592. A bill for the relief of Paul E. Roche; to the Committee on the Judiciary.

By Mr. BRAMBLETT:

H. R. 2593. A bill for the relief of Emmet Wood and Viola Wood; to the Committee on the Judiciary.

H. R. 2594. A bill for the relief of Grace Cheng and Phillip Cheng; to the Committee on the Judiciary.

H. R. 2595. A bill for the relief of Margaretha Rath Rahneberg and Erich Rahneberg; to the Committee on the Judiciary.

H. R. 2596. A bill for the relief of Jalal Rashtian; to the Committee on the Judiciary.

By Mr. BURDICK:

H. R. 2597. A bill for the relief of Harry Ray Smith; to the Committee on the Judiciary.

By Mr. BYRNE of Pennsylvania:

H. R. 2598. A bill for the relief of Colleen Gloria Chen See; to the Committee on the Judiciary.

H. R. 2599. A bill for the relief of Jasper Gladstone Chen See; to the Committee on the Judiciary.

By Mr. CASE:

H. R. 2600. A bill for the relief of Hedwig Hollweg; to the Committee on the Judiciary.

H. R. 2601. A bill for the relief of Francesco Masciotti; to the Committee on the Judiciary.

H. R. 2602. A bill for the relief of Elzbieta Grzymkowska Jarosz; to the Committee on the Judiciary.

H. R. 2603. A bill for the relief of Carmela Daino Davenia; to the Committee on the Judiciary.

By Mr. COLE of New York:

H. R. 2604. A bill for the relief of Lauri Allan Torni; to the Committee on the Judiciary.

By Mr. COUDERT:

H. R. 2605. A bill for the relief of Salvatore Gianna; to the Committee on the Judiciary.

By Mr. CRETELLA:

H. R. 2606. A bill for the relief of Dalmazio De Dominicis; to the Committee on the Judiciary.

By Mr. CROSSER:

H. R. 2607. A bill for the relief of Clifford Robinson; to the Committee on the Judiciary.

By Mr. CUNNINGHAM:

H. R. 2608. A bill for the relief of Erna Zenau and her minor children; to the Committee on the Judiciary.

By Mr. CURTIS of Missouri:

H. R. 2609. A bill for the relief of Mrs. Frieda Fleischer; to the Committee on the Judiciary.

H. R. 2610. A bill to provide for the advancement on the retired list of Commander Buell F. Brandt, United States Navy (retired), to the grade of captain; to the Committee on Armed Services.

By Mr. DAWSON of Utah:

H. R. 2611. A bill for the relief of Gerrit Been; to the Committee on the Judiciary.

H. R. 2612. A bill for the relief of Mary Bouessa Deeb; to the Committee on the Judiciary.

By Mr. DIES:

H. R. 2613. A bill for the relief of Charles Melvin Weisbeck; to the Committee on the Judiciary.

By Mr. DONDERO:

H. R. 2614. A bill for the relief of James Harry Martin; to the Committee on the Judiciary.

By Mr. FERNOS-ISERN:

H. R. 2615. A bill for the relief of Julio Mercado Toledo; to the Committee on the Judiciary.

H. R. 2616. A bill for the relief of Generosa Bonet; to the Committee on the Judiciary.

H. R. 2617. A bill for the relief of Guillermo Morales Chacon; to the Committee on the Judiciary.

H. R. 2618. A bill for the relief of Santos Sanabria Alvarez; to the Committee on the Judiciary.

H. R. 2619. A bill for the relief of Sister Aurelia Yanguas Teres and Sister Matilde Cuevas San Martin; to the Committee on the Judiciary.

H. R. 2620. A bill for the relief of Gabriel Zamorano-Estape; to the Committee on the Judiciary.

H. R. 2621. A bill for the relief of Maria Rozas Espineira de Colchero Arrubarrena; to the Committee on the Judiciary.

H. R. 2622. A bill for the relief of Maria Teresa Ortega Perez; to the Committee on the Judiciary.

H. R. 2623. A bill for the relief of Jose M. Thomas-Sanchez; to the Committee on the Judiciary.

By Mr. FISHER:

H. R. 2624. A bill for the relief of Paola Boezi Langford; to the Committee on the Judiciary.

By Mr. GOODWIN:

H. R. 2625. A bill for the relief of Miss Anna Ungaro Dell'Oglio; to the Committee on the Judiciary.

By Mr. GORDON:

H. R. 2626. A bill for the relief of Wencenty Peter Winiarski; to the Committee on the Judiciary.

By Mr. GUBSER:

H. R. 2627. A bill for the relief of Cecilia Lucy Boyack; to the Committee on the Judiciary.

H. R. 2628. A bill for the relief of Yuichi Matsumoto; to the Committee on the Judiciary.

By Mr. HELLER:

H. R. 2629. A bill for the relief of Emanuel and Maria Puleio; to the Committee on the Judiciary.

H. R. 2630. A bill for the relief of Balbino Acusin Ariasa; to the Committee on the Judiciary.

By Mr. HILLINGS:

H. R. 2631. A bill for the relief of Marie Jeanne Lapierre O'Donnell; to the Committee on the Judiciary.

By Mr. HOLT (by request):

H. R. 2632. A bill for the relief of George Huppert and Marta Huppert; to the Committee on the Judiciary.

H. R. 2633. A bill for the relief of Lee Sig Cheu; to the Committee on the Judiciary.

By Mr. HOWELL:

H. R. 2634. A bill for the relief of Charles T. Douds; to the Committee on the Judiciary.

By Mr. JACKSON:

H. R. 2635. A bill for the relief of Olga Abitia; to the Committee on the Judiciary.

By Mr. JAVITS:

H. R. 2636. A bill for the relief of George Japhet; to the Committee on the Judiciary.

By Mr. KLEIN:

H. R. 2637. A bill for the relief of Albert Rossi; to the Committee on the Judiciary.

By Mr. MCCARTHY:

H. R. 2638. A bill for the relief of Henry Sauber; to the Committee on the Judiciary.

H. R. 2639. A bill for the relief of George Lahood; to the Committee on the Judiciary.

H. R. 2640. A bill for the relief of Wadih Bakhos Boula; to the Committee on the Judiciary.

H. R. 2641. A bill for the relief of Theresia Hotter; to the Committee on the Judiciary.

H. R. 2642. A bill for the relief of Morgan M. Whitters; to the Committee on the Judiciary.

H. R. 2643. A bill for the relief of William E. Ackerknecht; to the Committee on the Judiciary.

H. R. 2644. A bill for the relief of Edward J. Farrell; to the Committee on the Judiciary.

H. R. 2645. A bill for the relief of Donald James Darmody; to the Committee on the Judiciary.

H. R. 2646. A bill for the relief of Marcel Duvivier; to the Committee on the Judiciary.

H. R. 2647. A bill for the relief of Angelita Haberer; to the Committee on the Judiciary.

H. R. 2648. A bill for the relief of Giovanni Lazarich; to the Committee on the Judiciary.

H. R. 2649. A bill for the relief of Orham Ali Erensel; to the Committee on the Judiciary.

H. R. 2650. A bill for the relief of Sister Anna Ettli; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. R. 2651. A bill for the relief of Elie Joseph Hakim and family; to the Committee on the Judiciary.

By Mr. MARTIN of Massachusetts:

H. R. 2652. A bill for the relief of Constance Brouwer Scheffer; to the Committee on the Judiciary.

By Mr. MILLER of California:

H. R. 2653. A bill for the relief of Michael Clive Ossorio; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 2654. A bill for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Imperi, Anna Imperi, Rosina Scariato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Francescaina Conterucci, and Filomena Lupinacci; to the Committee on the Judiciary.

By Mr. MORGAN:

H. R. 2655. A bill for the relief of Constantinos G. Samonas; to the Committee on the Judiciary.

H. R. 2656. A bill for the relief of Markos M. Perivolaris; to the Committee on the Judiciary.

H. R. 2657. A bill for the relief of Mrs. Eirini Basili Pagonis; to the Committee on the Judiciary.

H. R. 2658. A bill for the relief of Aigle Yuasa; to the Committee on the Judiciary.

H. R. 2659. A bill for the relief of Robert L. Kikta; to the Committee on the Judiciary.

By Mr. MULTER:

H. R. 2660. A bill for the relief of Mrs. Juan Antonio Rivera, Mrs. Raul Valle Antelo, Mrs. Jorge Diaz Romero, Mrs. Otto Resse, and Mrs. Hugo Soria; to the Committee on the Judiciary.

H. R. 2661. A bill for the relief of Josef Aszer Grosman; to the Committee on the Judiciary.

H. R. 2662. A bill for the relief of Issac Brecher; to the Committee on the Judiciary.

By Mr. O'NEILL:

H. R. 2663. A bill for the relief of Beatrice Haldostian; to the Committee on the Judiciary.

H. R. 2664. A bill for the relief of Sonia Sookhdeo Wall; to the Committee on the Judiciary.

By Mr. RADWAN:

H. R. 2665. A bill for the relief of Thomas Lampaces; to the Committee on the Judiciary.

By Mr. REED of Illinois:

H. R. 2666. A bill for the relief of Martin G. Scott and Hanna von Gusmann; to the Committee on the Judiciary.

H. R. 2667. A bill for the relief of Mrs. Lenzie P. Riggs, James A. Carson, and Vernon L. Ransom; to the Committee on the Judiciary.

By Mr. RHODES of Pennsylvania:

H. R. 2668. A bill for the relief of Anastasios John Kouvaras; to the Committee on the Judiciary.

By Mr. RODINO:

H. R. 2669. A bill for the relief of Gualtiero Galdinazzi; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. R. 2670. A bill for the relief of Pietro Di Filippo; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 2671. A bill for the relief of Jozef Podlaski; to the Committee on the Judiciary.

H. R. 2672. A bill for the relief of Sgt. Januz Plucinski; to the Committee on the Judiciary.

By Mr. SMALL:

H. R. 2673. A bill for the relief of John N. Wilson and Hamilton M. Webb; to the Committee on Armed Services.

By Mr. STAGERS:

H. R. 2674. A bill for the relief of Dr. Paul Keuk Chang; to the Committee on the Judiciary.

By Mr. THOMAS:

H. R. 2675. A bill for the relief of Mr. and Mrs. Alkos Giagtzis; to the Committee on the Judiciary.

By Mr. WIGGLESWORTH (by request):

H. R. 2676. A bill for the relief of Valentin Pinkler Romanos; to the Committee on the Judiciary.

By Mr. WILLIAMS of New York:

H. R. 2677. A bill for the relief of Mary Sing-Gleu Carleton; to the Committee on the Judiciary.

By Mr. WILSON of Indiana:

H. R. 2678. A bill for the relief of Carl A. Annis, Wayne C. Cranney, and Leslie O. Yarwood; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

37. By Mr. CANFIELD: Resolutions adopted by the Catholic War Veterans of the United States of America, New Jersey State Department, West New York, N. J., calling for immediate appropriation of adequate funds to continue the hospital and medical programs of the Veterans' Administration; to the Committee on Veterans' Affairs.

38. By Mr. COLE of Missouri: Petition of Dr. R. J. Brennan and 120 other farmers of Livingston County, Mo., asking Congress to amend the present FHA title I program or enact new legislation similar to FHA title I so that they can obtain insured loans for financing of soil fertility and conservation on their farms; to the Committee on Banking and Currency.

SENATE

WEDNESDAY, FEBRUARY 4, 1953

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty God and father of all mankind, whose paths are mercy and truth,

before the white splendor of whose purity every vileness shrinks away: Lift us, we beseech Thee, above the immediate and set our lives in the wide horizons of abiding verities; strengthen our inner resources that we may go forth against unnumbered foes with the whole armor of faith and righteousness, pledging our loyalty to Thy kingdom of love, never letting our confidence in it, nor our devotion to it, fail because of the fury of the wicked when they boast themselves in the day of their pride. As Thy servants and the people's, in this temple of democracy, save us from the perversion of power that has not Thee in awe. In this day of destiny for us and for the world, make us worthy of our vocation as keepers of the sacred flame. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. TAFT, and by unanimous consent, the reading of the Journal of the proceedings of Monday, February 2, 1953, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Maurer, its reading clerk, announced that the House had passed the bill (S. 243) to amend Public Law 73, Eighty-first Congress, first session (63 Stat. 111), to provide for an Under Secretary of State (for Administration), with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 1979) to amend the Reorganization Act of 1949 so that such act will apply to reorganization plans transmitted to the Congress at any time before April 1, 1955, in which it requested the concurrence of the Senate.

LEAVE OF ABSENCE

On request of Mr. CLEMENTS, and by unanimous consent, Mr. McCARRAN was excused from attendance on the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. WILEY, and by unanimous consent, the Committee on Foreign Relations was authorized to meet this afternoon during the session of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON PAYMENT OF CERTAIN CLAIMS BY TREASURY DEPARTMENT

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a

report on the payment of certain claims relating to correction of military records, for the 6-month period ended December 31, 1952 (with an accompanying report); to the Committee on Armed Services.

REPORT ON AVERAGE MONTHLY FLIGHT PAY OF CERTAIN OFFICERS OF COAST GUARD

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, on the average monthly flight pay paid to certain officers of the Coast Guard; to the Committee on Armed Services.

REPORT ON FOREIGN EXCESS PROPERTY DISPOSAL, NAVY DEPARTMENT

A letter from the Acting Secretary of the Navy, transmitting, pursuant to law, a report on foreign excess property disposal by the Navy Department, for the calendar year 1952 (with an accompanying report); to the Committee on Government Operations.

REPORT ON EXPORT CONTROL

A letter from the Secretary of Commerce, transmitting, pursuant to law, the twenty-first quarterly report on export control (with an accompanying report); to the Committee on Banking and Currency.

REPORT RELATING TO ILLEGAL EXPENDITURES BY NAVY DEPARTMENT

A letter from the Comptroller General, transmitting, for the information of the Senate, a report with reference to illegal expenditures made by the Department of the Navy in connection with the suit brought by the United States against Fallbrook Public Utility District, and others, in the United States District Court for the Southern District of California, Southern Division (with an accompanying report); to the Committee on Government Operations.

AUDIT REPORT ON TENNESSEE VALLEY AUTHORITY

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report of the Tennessee Valley Authority, for the fiscal year ended June 30, 1952 (with an accompanying report); to the Committee on Government Operations.

FACTORY INSPECTIONS UNDER FEDERAL FOOD, DRUG, AND COSMETIC ACT

A letter from the Administrator, Federal Security Agency, transmitting a draft of proposed legislation to protect the public health and welfare by restoring authority for factory inspections under the Federal Food, Drug, and Cosmetic Act (with an accompanying paper); to the Committee on Labor and Public Welfare.

REPORT OF PACIFIC MARINE FISHERIES COMMISSION

A letter from the Chairman, Pacific Marine Fisheries Commission, Portland, Oreg., transmitting, pursuant to law, the report of the Commission for the year 1952 (with an accompanying report); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Labor and Public Welfare:

"Senate Joint Resolution 9

"Joint resolution relative to the shortage of hospital beds for California veterans

"Whereas there is an alarming shortage of hospital beds available in California for California veterans provided by the Veterans' Administration, and the number has been decreased by 2,000 beds since June 1950; and "Whereas there are approximately 4,600 veterans in California State mental institu-